



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPB

Introduction

This is an application by the landlords for an order of possession under section 55 of the *Residential Tenancy Act* (the *Act*).

The landlord attended the hearing with her agent FE (“the landlord”). The tenant KH attended. Both parties had the opportunity to call witnesses and present affirmed testimony and written evidence. The respondent acknowledged receipt of the applicant's Notice of Hearing and evidentiary materials. I find the respondent was served in accordance with section 89 of the *Act*.

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision or an Order. Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a Decision:

The Parties mutually agreed as follows:

- The fixed term tenancy between the parties continues pursuant to the terms of the tenancy agreement between them and will end on June 30, 2019 at 1:00 PM at which time the tenants and all occupants will have vacated the unit;
- The landlord acknowledged owing the tenant \$6,500.00 for work on the unit as set out in the tenant's invoice of March 3, 2019;
- The tenant stated the work was completed in a careful, workmanlike manner;
- The landlord will pay to the tenant \$6,500.00 on or before April 30, 2019 in full satisfaction of the invoice of March 3, 2019;
- The security and pet deposit of a total of \$2,700.00 held by the landlord will be dealt with according to the *Act* at the end of the tenancy.

To give effect to the settlement reached between the parties, I issue to the landlord the attached order of possession which must be served upon the tenant, should the tenant fail to vacate the unit by 1:00 PM on June 30, 2019.

Further, to give effect to the settlement reached between the parties, I issue to the tenant the attached monetary order requiring the landlord to pay the sum of \$6,500.00 to the tenant on or before April 30, 2019 at 1:00 PM, to be served upon the landlord only if the landlord fails to pay the full amount by that time.

These terms comprise the full and final settlement of all aspects of these applications for both parties.

Both parties testified that they understood and agreed that the above terms are final, binding, and enforceable, and settle all aspects of this application.

Based on the above, I find that all matters between these parties raised in this application are resolved pursuant to the above agreed terms.

Conclusion

To give effect to the settlement reached between the parties, I issue to the landlord the attached order of possession which must be served upon the tenant, should the tenant fail to vacate the unit by 1:00 PM on June 30, 2019.

To give effect to the settlement reached between the parties, I issue to the tenant the attached monetary order requiring the landlord to pay the sum of \$6,500.00 to the tenant on or before April 30, 2019 at 1:00 PM, to be served upon the landlord only if the landlord fails to pay the full amount by that time.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: April 16, 2019

Residential Tenancy Branch