



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 0899462 B.C. LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR ERP LAT LRE OLC FFL OPRM-DR

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the "Act") for:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the "Ten-Day Notice") pursuant to section 46;
- an order for the landlord to comply with the *Act*, regulation or tenancy agreement pursuant to section 62;
- an order to the landlord to make emergency repairs to the rental unit pursuant to sections 33 and 62;
- authorization to change the locks to the rental unit pursuant to section 31; and,
- an order to suspend or set conditions on the landlord's right to enter the rental unit pursuant to section 70.

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- an Order of Possession pursuant to section 55;
- a monetary order for unpaid rent pursuant to section 67; and,
- authorization to recover his filing fee for this application from the tenant pursuant to section 72.

Both parties attended the hearing and were given a full opportunity to be heard, to present their affirmed testimony and to make submissions. Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute.

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 landlord shall allow the Tenant to stay until 1:00 pm on June 15, 2019 and the landlord is granted an Order of Possession in accordance with date;
- The tenants shall pay rent in the amount of \$475.00 for June 2019; and,
- This agreement does not resolve the dispute over the payment of rent. The landlord's application for a monetary order for unpaid rent is dismissed with leave to reapply. The landlord may file another application for dispute resolution relating to claims of unpaid rent.
- The remaining claims between the parties, other than claims relating to possession and unpaid rent, are dismissed without leave to reapply.

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

Conclusion

To give effect to the settlement reached between the parties and as discussed with them during the hearing, I issue an Order of Possession to the landlord, which is to take effect by 1:00 p.m. on June 15, 2019. The landlord is provided with this Order must be served on the tenants before this Order may be enforced. If the tenants fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

Further to the settlement reached by the parties, I dismiss the landlord's application for dispute resolution relating to claims of unpaid rent with leave to reapply. The landlord may file another application for dispute resolution relating to claims of unpaid rent. All remaining claims between the parties, other than claims relating to possession and unpaid rent, are dismissed without leave to reapply.

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: May 24, 2019

Residential Tenancy Branch