



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes: CNR ERP PSF RP OPT AAT

Introduction

This hearing was convened in response to an application by the tenant pursuant to the *Residential Tenancy Act* (the Act) to cancel a 10 Day Notice to End Tenancy Unpaid Rent dated May 05, 2019 with an effective date of May 15, 2019.

During the course of the hearing the parties discussed their dispute in respect to all matters of the application, but primarily the Notice to End and agreed to settle all issues in dispute to the full satisfaction of both parties.

Section 63 of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing and an Arbitrator may record their settlement as a Decision and Order. Pursuant to this provision, discussion between the parties led to resolution of the relevant matter of the 10 Day Notice to End. As a result the parties confirmed to me that **they both agreed as follows;**

1. The tenant will pay the landlord outstanding rent, and the payable rent for July 2019 **in the sum of \$12,000.00** by no later than **June 27, 2019**.
2. The tenant agrees **they withdraw all remaining portions of their application.**
3. The landlord will receive an **Order of Possession effective 2 days from the day it is served on the tenant.** If the tenant does not pay the landlord the agreed amount of \$12,000.00, by the agreed date, the landlord may serve the Order on the tenant and the tenancy will end in accordance with the Order

Both parties testified in the hearing confirming to me that they understood and agreed to the above terms, and that the settlement particulars comprise the full and final settlement of all aspects of the dispute.

So as to perfect this settlement agreement,

The landlord is given an **Order of Possession**, effective **2 days from the day it is served on the tenant**. The tenant must be served with this Order. If the tenant fails to comply with the Order, the Order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

I Order that the Order of Possession dated this even date of June 24, 2019 **becomes null and of no effect within 30 days of its date**.

Conclusion

The parties settled their dispute respecting the 10 Day Notice for Unpaid Rent in the above terms.

The remaining balance of the tenant's application is dismissed with leave to reapply.

This Decision and Settlement agreement are final and binding.

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: June 24, 2019

Residential Tenancy Branch