



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes DRI, MNDC, CNL, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a Two Month Notice to End Tenancy for Landlord's Use of Property (the "Notice"), to dispute a rent increase, for a monetary order for money owed or and to recover the filing fee.

Both parties appeared, gave testimony, and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions at the hearing.

Rule 2.3 of the Residential Tenancy Branch Rules of Procedure authorizes me to dismiss unrelated disputes contained in a single application. In these circumstances the tenant indicated several matters of dispute on the Application for Dispute Resolution, the most urgent of which is the application to set aside the Notice. I find that not all the claims on this Application for Dispute Resolution are sufficiently related to be determined during these proceedings. I will, therefore, only consider the tenants request to set aside the Notice to End Tenancy and the tenants' application to recover the filing fee at these proceedings. The balance of the tenants' applications is dismissed, with leave to reapply.

During the hearing the parties agreed to settle these matters, on the following conditions:

1. The tenants agreed that they accept the Notice;
2. The parties agreed that the tenancy will legally end on July 31, 2019;

3. The parties agreed that the tenants are entitled to withhold rent for July 2019, as that is their compensation for receiving the Notice;
4. The parties agreed that as of today's date the tenants are in rent arrear of \$1,430.00 as the tenants did not pay all rent owed for May 2019 (\$180.00) and no rent for June (\$1,250.00); and
5. The tenants agreed that the unpaid rent will be paid to the landlord today (June 14, 2019), should the tenants fail to pay rent as agreed upon the landlord is entitled to issue a notice to end tenancy based on unpaid rent.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Since the tenants were not disputed the Notice and wanted more time to vacate, I decline to award the cost of the filing fee.

Conclusion

As a result of the above settlement, the landlord is granted an order of possession effective July 31, 2019, should the tenants fail to comply with the settlement agreement.

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 14, 2019

Residential Tenancy Branch