



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

CNC FFT

Introduction

This hearing dealt with an application by the tenants under the *Residential Tenancy Act* (the *Act*) for the following:

- Cancellation of One Month Notice to End Tenancy for Cause (“One Month Notice”) pursuant to section 47;
- An order requiring the landlord to reimburse the tenant for the filing fee.

Both parties had an 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 month-to-month tenancy between the parties continues pursuant to the terms of the tenancy agreement between them and will end on August 18, 2019 at 1:00 PM at which time the tenants and all occupants will have vacated the unit;

- The tenants will pay to the landlords the sum of \$1,190.32 on or before August 1, 2019 for rent from August 1, 2019 to August 18, 2019;
- The security deposit held by the landlords will be dealt with according to the *Act* at the end of the tenancy;
- The tenants' claims are dismissed without leave to reapply.

To give effect to the settlement reached between the parties, I issue to the landlords the attached order of possession which must be served upon the tenants, should the tenants fail to vacate the unit by 1:00 PM on August 18, 2019 or fail to pay rent when due pursuant to the terms of the tenancy agreement and the settlement agreement between the parties of this date.

To give effect to the settlement reached between the parties, I issue to the landlords the attached monetary order requiring the tenants to pay the sum of \$1,190.32 to the landlords on or before 1:00 PM on August 1, 2019 to be served upon the tenants only if the tenants fail to pay the full amount by that time.

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

I grant the landlords the attached order of possession which must be served upon the tenants, should the tenants fail to vacate the unit by 1:00 PM on August 18, 2019 or fail to pay rent when due pursuant to the terms of the tenancy agreement and the settlement agreement between the parties of this date. The order of possession must be served upon the tenants. If the tenants do not 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 grant the landlords a monetary order in the amount of \$1,190.32. This order must be served on the tenants only if the tenants fail to pay the full amount by 1:00 PM on August 01, 2019. The order may be filed in the BC Supreme Court (Small Claims División) and enforced as an order of that Court.

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: July 18, 2019

Residential Tenancy Branch