



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

Tenant: CNR LRE OLC RP
Landlord: OPR-DR

Introduction

This hearing dealt with cross Applications for Dispute Resolution filed by the parties under the *Residential Tenancy Act* (the “*Act*”).

The Tenant’s Application for Dispute Resolution was made on August 15, 2019 (the “Tenant’s Application”). The Tenant applied for the following relief, pursuant to the *Act*:

- to cancel a 10 Day Notice for Unpaid rent dated August 15, 2019 (the “10 Day Notice”);
- an order for the Landlord to comply;
- an order restricting the Landlord’s right to enter; and
- an order for regular repairs.

The Landlord’s Application for Dispute Resolution was made on August 26, 2019, (the “Landlord’s Application”). The Landlord initially applied through the Direct Request process; however, since the Tenant had already filed to dispute the 10 Day Notice to End Tenancy, the Landlord’s Application was scheduled to be heard with the Tenant’s Application. The Landlord applied for the following relief, pursuant to the *Act*:

- an order of possession for unpaid rent.

The Tenant and the Landlord’s Agents attended the hearing at the appointed date and time and provided affirmed testimony.

Settlement Agreement

During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The parties agree that the tenancy will end on **at 1:00 p.m. on October 31, 2019.**
2. The Landlord is granted an order of possession effective **October 31, 2019 at 1:00 p.m.** The Landlord must serve the Tenant with the order of possession.

3. The Tenant agrees to pay the outstanding balance of October 2019 rent in the amount of **\$988.00**.
4. The Landlord is granted a monetary order in the amount \$988.00. Should the Tenant fail to pay the outstanding balance of October 2019 rent, the Landlord must serve the Tenant with the monetary order.
5. The parties withdraw their respective applications in full as part of this mutually settled agreement.

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

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement. I indicated on several occasions that if either party did not wish to resolve this matter through a mutually agreed settlement, I was prepared to hear their evidence and make a decision.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

The Landlord has been granted an order of possession effective October 31, 2019 at 1:00 p.m. This order must be served on the Tenant and may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

The Landlord is granted a monetary order in the amount of \$988.00 which represents the outstanding balance of October 2019 rent owed. The monetary order should be served to the Tenant as soon as possible and may be filed in and enforced as an order of the Provincial Court of British Columbia (Small Claims).

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: October 16, 2019

Residential Tenancy Branch