



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR LRE

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for unpaid rent or utilities and for an order limiting or setting conditions on the landlords' right to enter the rental unit.

The tenant and both named landlords attended the hearing, and the parties agreed to amend the application to change the spelling of the name of one of the landlords. The frontal page of this Decision reflects that amendment.

During the course of the hearing the landlords advised that a hearing is also scheduled for April 16, 2020 which should be joined to be heard with this application. In that matter the landlords have applied for a monetary order for unpaid rent and to recover the filing fee from the tenant.

The parties were given the opportunity to discuss settling both disputes and agreed to settle this dispute and the dispute scheduled for April 16, 2020 in the following terms:

1. the landlords will have an Order of Possession effective at 1:00 p.m. on January 31, 2020 and the tenancy will end at that time;
2. the tenant will pay the rental arrears of \$1,500.00 on December 27, 2019 and January's rent of \$500.00 on January 10, 2020;
3. if the tenant fails to make the payments set out in paragraph 2 the landlords will be at liberty to issue a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities and the tenant will have 5 days to pay the rent or the landlords may apply for an Order of Possession effective earlier than January 31, 2020;
4. the hearing scheduled for 16, 2020 under File Number 31057664 is cancelled.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

Conclusion

For the reasons set out above and by consent I hereby grant an Order of Possession in favour of the landlords effective at 1:00 p.m. on January 31, 2020 and the tenancy will end at that time.

I hereby order the tenant to make the payments of rent and rental arrears as set out in paragraph 2 above, and if the tenant fails to do so the landlords will be at liberty to issue another 10 Day Notice to End Tenancy for Unpaid Rent or Utilities and seek an earlier possession date.

The hearing scheduled for April 16, 2020 at 1:30 p.m. is hereby cancelled.

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: December 13, 2019

Residential Tenancy Branch