



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Hillcrest Orchard Properties
LP and [tenant name suppressed to protect
privacy]

DECISION

Dispute Codes: CNR, CNC, RP

Introduction

In this dispute, the tenant sought to cancel a 10 Day Notice to End Tenancy for Unpaid Rent (the “10 Day Notice”) under section 46 of the *Residential Tenancy Act* (the “Act”), they sought to cancel a One Month Notice to End Tenancy for Cause (the “One Month Notice”) under section 47 of the Act, and, they sought an order for regular repairs under sections 32 and 62 of the Act.

The tenant applied for dispute resolution on December 31, 2019 and a dispute resolution hearing was held on March 2, 2020. The tenant, their advocate, the landlord’s property manager, and the landlord’s building manager all attended the hearing.

Preliminary Matter: Settlement of Disputes

At the start of the hearing I asked the tenant’s advocate whether there had been any settlement or resolution of the dispute, to which he indicated that he believed there was, based on recent conversations that he had with the landlord’s property manager. After discussing the terms of such a settlement, I agreed to assist the parties in resolving this matter by way of a settlement agreement.

Section 63 of the Act states that (1) an arbitrator may assist the parties, or offer the parties an opportunity, to settle their dispute, and, (2) if the parties settle their dispute during dispute resolution proceedings, the arbitrator may record the settlement in the form of a decision or an order.

The parties agreed to settle this dispute on the following terms:

1. that the tenant will pay the full rent for March 2020 no later than March 15, 2020;
2. that, if the tenant complies with the above-noted payment of rent for March 2020, the order of possession that is issued in conjunction with this Decision shall be null and void;
3. that, if the tenant has not paid rent by the end of March 15, 2020, the order of possession issued in conjunction with this Decision shall take immediate effect on March 16, 2020; and,
4. that an order of possession is issued to the landlord, the order which may be exercised should the tenant not pay rent as agreed to.

The above-noted settlement does not impinge on any other rights, obligations, or prohibitions established under the Act as they may apply to the parties.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: March 2, 2020

Residential Tenancy Branch