



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNDLC, MNRL, MNDL, FFL

### Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- an order for possession under a 10-Day Notice to End Tenancy for Unpaid Rent ("Ten-Day Notice") pursuant to sections 46 and 55;
- a monetary order for unpaid rent and for compensation for damage or loss under the Act, Residential Tenancy Regulation ("Regulation") or tenancy agreement pursuant to section 67 of the Act; and
- authorization to recover the filing fee for this application pursuant to section 72.

Co-owners landlords BG and PH and tenant CG attended the hearing and had a full opportunity to provide affirmed testimony, present evidence, cross examine the other party, and make submissions.

Landlord BG affirmed he served the notice of hearing by registered mail on February 11 (the tracking number is on the cover page of this decision). The tenant affirmed he did not receive the notice of hearing and was told yesterday there would be a hearing today by a common friend. Based on the testimonies and the provided tracking number, I find that the tenant was served with the notice of hearing in accordance with sections 88 and 89 of the Act.

### Settlement

Pursuant to section 63 of the Act, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, engaged in a conversation,

turned their minds to compromise and achieved a resolution of their dispute regarding this application only.

Both parties agreed to the following final and binding settlement of all issues listed in this application for dispute resolution:

- The tenant will pay the landlords \$1,500.00 on March 05, 2020 and \$1,500.00 on March 21, 2020. The cash payment regarding March's rent will be collected by the landlords at 7:00 P.M. at the rental suite;
- Monthly rent starting in April 2020 will be due every fifth day of the month, in the amount of \$2,500.00. The cash payment will be collected by the landlords at 7:00 P.M. at the rental suit.
- The landlords will provide the tenant with a rent payment receipt immediately upon each payment.
- The tenancy started around November 2019 and the tenant did renovations in the rental suite in exchange for rent until February 29, 2020.
- The tenancy is on a fixed term until February 28, 2021. After this date, it will be a periodic tenancy.

### Conclusion

As the parties have reached a settlement, I make no findings about the merits of this application. The parties settled all aspects of their dispute in the above terms.

This Decision and Settlement are final and binding.

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: March 02, 2020

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Residential Tenancy Branch