



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

SETTLEMENT DECISION

Dispute Codes

Landlord: OPU MNDC FF
Tenant: CNR MNDC RP FF

Introduction

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

The Landlord’s Application for Dispute Resolution was made on January 30, 2020. The Landlord applied for the following relief, pursuant to the *Act*:

- an order of possession based on a notice to end tenancy for unpaid rent or utilities;
- a monetary order for money owed or compensation for damage or loss; and
- an order granting recovery of the filing fee.

The Tenant’s Application for Dispute Resolution was made on January 29, 2020. The Tenant applied for the following relief, pursuant to the *Act*:

- an order cancelling the notice to end tenancy for unpaid rent or utilities;
- a monetary order for money owed or compensation for damage or loss;
- an order requiring the Landlord to make repairs; and
- an order granting recovery of the filing fee.

The Landlord and the Tenant attended the hearing and provided affirmed testimony.

Settlement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised on several occasions that there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement, which would be documented in my Decision.

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The parties agree that rent in the amount of \$1,250.00 per month is due on the first day of each month.
2. The parties agree the Tenant will pay a fixed amount for utilities in the amount of \$116.67 per month (the "Utility Payment"), which will be due with rent on or before the first day of each month.
3. The parties agree the Utility Payment is retroactive to February 1, 2020 and that the Tenant's unpaid utility charges from February 1 to April 30, 2020 total \$350.01 (\$116.67 x 3 months), which the Tenant agrees to pay forthwith.
4. The parties agreed the tenancy will continue until otherwise ended in accordance with the *Act*.
5. The Landlord agrees to withdraw the notice to end tenancy for unpaid rent or utilities as part of this settlement agreement.
6. The parties agree to withdraw their respective applications as part of this settlement agreement.

This settlement agreement was reached in accordance with section 63 of the *Act*. As this settlement agreement was reached through negotiation, I decline to award recovery of the filing fee to either party.

Conclusion

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

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: April 3, 2020

Residential Tenancy Branch