



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNRL, OPR

Introduction

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

- an Order of Possession for unpaid rent, pursuant to section 55; and
- a Monetary Order for unpaid rent, pursuant to section 67.

Both parties attended the hearing and were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses. Witness DG for the tenant also attended.

As both parties were present service was confirmed. The parties each confirmed receipt of the other's materials. Based on the testimonies I find that each party was served with the respective materials in accordance with sections 88, 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 agrees to pay the landlord for all the arrears until June 05, 2020, including the June 2020 rent, the following amounts:

- \$10,000.00 by the end of June 05, 2020;
- \$3,023.00 by June 12, 2020;
- \$8,000.00 in eight monthly payments of \$1,000.00 together with rent, in addition to rent, starting on July 01, 2020;
- The landlord will e-mail the tenant (e-mail address on the cover page of this decision) on June 05, 2020 the instructions for electronic payment;
- The 10 Day Notice to end tenancy dated March 01, 2020 is cancelled and is of no force or effect. The tenancy will continue until it is ended in accordance with the Act.

Should the Tenant fail to abide by the terms of the settlement agreement, the landlord may file a further application with the Residential Tenancy Branch for appropriate relief.

Conclusion

The 10 Day Notice to end tenancy dated March 01, 2020 is cancelled and is of no force or effect. The tenancy will continue until it is ended in accordance with the Act.

The parties have reached a settlement regarding all outstanding monetary issues related to the tenancy presently before me. The details of the settlement are contained 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: June 05, 2020

Residential Tenancy Branch