



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding D KARRASCH CONSTRUCTION LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes **FFT, OLC, MNDCT, RP, RR, PSF, CNC**

Introduction

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

Authorization to recover the filing fee for this application from the landlord pursuant to section 72;

An order for the landlord to comply with the Act, Regulations and/or tenancy agreement pursuant to section 62;

A monetary order for damages or compensation pursuant to section 67;

An order for regular repairs pursuant to sections 32 and 62;

An order to reduce rent for repairs/services/facilities agreed upon but not provided pursuant to section 65;

An order to provide services or facilities required by a tenancy agreement or law pursuant to section 62; and

An order to cancel a One Month Notice To End Tenancy for Cause pursuant to sections 47 and 55.

All named parties attended the hearing. As both parties were in attendance, service of documents was confirmed. The landlord confirmed receipt of the tenant's application for dispute resolution and evidence. The landlord testified she served her evidence on the tenant's door on July 20, 2020, however the tenant testified she hasn't been back to the rental unit throughout July. Pursuant to section 71 of the *Act*, I deemed the landlord's evidence was sufficiently served.

Settlement Reached

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, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

1. The parties mutually agree to end the tenancy. This tenancy will end at 1:00 p.m. on July 25, 2020 by which time the tenant and any other occupant will have vacated the rental unit.
2. The landlord and tenant will attend the rental unit together at 1:00 p.m. on July 25, 2020 to conduct a condition inspection report.

Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion. Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute.

Conclusion

To give effect to the settlement reached between the parties and as discussed at the hearing, I issue an Order of Possession to the landlord. The landlord is to serve this Order of Possession immediately and enforce it as early as 1:01 p.m. on July 25, 2020 should the landlord choose to do so.

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: July 23, 2020

Residential Tenancy Branch