



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Century 21 Amos Realty and  
[tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes**      For the tenant: CNR, RP  
For the landlord: OPR-DR, FFL

### **Introduction**

This hearing dealt with a cross application. The tenant's applications pursuant to the Residential Tenancy Act (the Act) are for:

- cancellation of two 10 Day Notices to End Tenancy for Unpaid Rent or Utilities, pursuant to section 46 of the Act; and
- an order requiring the landlord to carry out repairs, pursuant to section 32 of the Act.

The landlord's application pursuant to the Act is for:

- an order of possession under the 10 Day Notice to End Tenancy for Unpaid Rent, pursuant to sections 46 and 55 of the Act; and
- an authorization to recover the filing fee for this application, pursuant to section 72 of the Act.

### **Settlement**

Pursuant to section 63 of the Act, an 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.

Both parties agreed to the following final and binding settlement:

- The tenant agrees to provide the landlord with vacant possession of the subject rental property by 1:00 P.M. on November 15, 2020, when the move out inspection will happen.
- Both parties are at liberty to submit applications for monetary compensation regarding the tenancy.

- The tenant will provide the landlord with a forwarding address upon the move out inspection and the landlord will no longer serve documents by posting them to the tenant's door.

### Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the settlement reached between the parties and as discussed with them during the hearing, pursuant to section 63(2) of the Act, I issue an order of possession to the landlord, which is to take effect by 1:00 P.M. on November 15, 2020. The landlord is provided with this order in the above terms and must serve it on the tenant as soon as possible in accordance with the Act. If the tenant fails to comply with this Order, this order may be filed and enforced as an order of the Supreme Court of British Columbia.

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: November 10, 2020

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Residential Tenancy Branch