



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNR, OLC, MNRT, LRE, LAT (tenant);
OPR-DR, OPRM-DR, FFL (landlord)**

Introduction

This hearing dealt with an application by the tenant under the *Residential Tenancy Act* (the *Act*) for the following:

- Cancellation of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (“Ten Day Notice”) pursuant to section 46;
- An order requiring the landlord to comply with the Act pursuant to section 62;
- A monetary order for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* (“*Regulation*”) or tenancy agreement pursuant to section 67 of the *Act*;
- An order to restrict or suspend the landlord’s right of entry pursuant to section 70;
- An order to permit a lock change pursuant to section 31.

This hearing also dealt with an application by the landlord under the *Residential Tenancy Act* (the *Act*) for the following:

- 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*;
- An order for possession under a 10-Day Notice to End Tenancy for Unpaid Rent (“Ten-Day Notice”) pursuant to sections 46 and 55;
- Authorization to recover the filing fee for this application pursuant to section 72.

The parties attended and were given a full opportunity to be heard, to present affirmed testimony, make submissions, and call witnesses. The parties did not raise any issues regarding the service of evidence. The hearing process was explained, and each party had the opportunity to ask questions.

Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute.

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision or an Order.

Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a Decision:

The parties agreed as follows:

1. The tenancy between the parties will end at 1:00 PM on December 31, 2020, by which time the tenant and any other occupants will return vacant possession of the rental unit to the landlord;
2. The tenant acknowledged owing the landlord \$800.00 for outstanding rent for the month of November 2020 and agreed the landlord shall apply the security deposit of \$400.00 leaving a balance owing of \$400.00;
3. The parties agreed the landlord shall be issued a Monetary Order in the amount of \$400.00 for outstanding rent;
4. The tenant shall pay rent when due for the month of December 2020.

In support of this settlement and with the agreement of both parties, I grant the landlord an Order of Possession effective 1:00 PM on December 31, 2020 and a Monetary Order in the amount of \$400.00.

Should the tenant fail to comply with this Order of Possession, the Order may be filed and enforced as an Order of the Supreme Court of British Columbia. The Monetary Order may be registered and enforced in the courts of the Province of British Columbia.

This settlement agreement was reached in accordance with section 63 of the *Act*.

The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the *Act*. Should either party violate the terms of this agreement, the tenancy agreement or the *Act*, it is open to the other party to take steps under the *Act* for an appropriate remedy.

Conclusion

Pursuant to the settlement between the parties, I grant the landlord an Order of Possession effective 1:00 PM December 31, 2020 which may be filed and enforced in the Supreme Court of British Columbia.

I further grant to the landlord a Monetary Order in the amount of \$400.00 which may be filed and enforced in the Courts of the Province 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 09, 2020

Residential Tenancy Branch