



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNR, FFT, OLC, MNDCT, CNC**

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, to cancel a One Month Notice to End Tenancy for Cause, for a monetary order for money owed, to have the landlord comply with the Act, and to recover the cost of the filing fee.

Both parties appeared, gave testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions at the hearing.

Preliminary and Procedural Matters

Rule 2.3 of the Residential Tenancy Branch Rules of Procedure authorizes me to dismiss unrelated disputes contained in a single application. In these circumstances the tenant indicated several matters of dispute on the Application for Dispute Resolution, the most urgent of which is the application to set aside the Notice to End Tenancy. I find that not all the claims on this Application for Dispute Resolution are sufficiently related to be determined during these proceedings. I will, therefore, only consider the tenant's request to set aside the Notices to End Tenancy. The balance of the tenant's application is dismissed, with leave to reapply.

The parties were informed at the hearing that the Residential Tenancy Branch Rules of Procedure 6.11. prohibits the recording of the dispute resolution hearing. If any recording is made and used for any purpose the party who made the recording will be referred to the Residential Tenancy Branch Compliance Enforcement Unit for investigation and may be subject to an administrative penalty of up to \$5,000.00 for each day the contravention or failure continues. Both parties confirmed they were not recording the hearing.

Settlement Agreement

During the hearing the parties agreed to settle these matters, on the following conditions:

- The parties agreed to mutually end the tenancy on March 31, 2021.

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

Conclusion

As a result of the above settlement, the landlord is granted an order of possession should the tenant fail to comply with the settlement agreement.

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: March 26, 2021

Residential Tenancy Branch