



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Hollyburn Properties Ltd, Marlborough
Tower and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

This hearing was convened in response to an application by the Tenant for an order cancelling a notice to end tenancy for unpaid rent (the “Notice”) pursuant to section 46 of the *Residential Tenancy Act* (the “Act”).

Both Parties attended the conference call hearing and gave evidence under oath. During the hearing the Parties reached a settlement agreement. The Parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that they understood the nature of the full and final settlement of these matters.

Agreed Facts

The tenancy began on October 31, 2006. Rent of \$1,466.00 is payable on the first day of each month. At the outset of the tenancy, the Landlord collected \$487.50 as a security deposit. The Tenant owes rental arrears of \$5,755.00 to and including July 2021.

Settlement Agreement

The Parties mutually agree as follows:

- 1. On August 1, 2021 and thereafter on the first day of each month the Tenant will pay the full rent of \$1,466.00;**

- 2. Starting August 1, 2021 and thereafter on the first day of each month for a period of 28 months the Tenant will pay an additional \$200.00 towards the rental arrears and on the 29th month the Tenant will pay an additional \$155.00 as the final payment on the rental arrears;**
- 3. The tenancy is reinstated;**
- 4. Should the Tenant fail to pay the full rent plus the arrears amount for any month the tenancy will end on the last day of that month; and**
- 5. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63(2) of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order. Given the mutual agreement reached during the hearing, I find that the Parties have settled their dispute as recorded above. To give effect to this agreement I cancel the Notice and the tenancy continues.

Conclusion

The Parties have settled the dispute.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: July 22, 2021

Residential Tenancy Branch