



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR CNC MNDC FF

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. A participatory hearing, by teleconference, was held on July 26, 2021. The Tenant applied for multiple remedies, pursuant to the *Residential Tenancy Act* (the "Act").

The Landlord and his agent attended the hearing, as did the Tenant, and her friend. All parties provided affirmed testimony.

Settlement Agreement

During the hearing, a mutual agreement was discussed and the both parties agreed to settle all matters relating to this application, and to ending the tenancy as laid out below.

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.

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 and an Order:

The parties agreed that:

- The Landlord will forgive the \$1,300.00 owing as of the date of this hearing for unpaid rent.
- The Tenant will move out of the rental unit by **August 15, 2021, at 1pm.**

- All Notices to End Tenancy issued to date are cancelled and of no force or effect and the tenancy will end by way of this settlement agreement.
- Monthly rent is \$3,000.00 per month and the Tenant is still required to pay \$1,500.00, on August 1, 2021, which is to cover the period from August 1, 2021 – August 15, 2021, which is the date the Tenant will provide vacant possession of the house to the Landlord.
- The Tenant withdraws her application in full
- These terms comprise the full and final settlement of all aspects of this dispute for both parties.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

To give effect to the settlement reached by the parties, I grant the Landlord an Order of Possession effective August 15, 2021, at 1pm to reflect the end of tenancy.

I also Order that the current rent owed by the Tenant as of the time of this hearing, July 26, 2021, in the amount of \$1,300.00, is no longer owed by the Tenant.

I also Order that the Tenant is required to pay rent in the amount of \$1,500.00 on August 1, 2021, for the period of August 1-15, 2021.

Conclusion

The landlord is granted an order of possession effective August 15, 2021, at 1pm and after service on the tenant. The Landlord may serve and enforce this Order if the Tenant fails to move out as specified above.

This Order **must** be read in conjunction with the above settlement agreement and the Landlord **must not** seek to enforce this Order on the Tenants, unless the Tenants fail to meet the conditions of this 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: July 26, 2021