



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

CORRECTED DECISION

Dispute Codes **CNR, FFT**

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 reimburse the tenant for the filing fee pursuant to section 72.

The tenants attended with the advocate HN (“the tenant”). The landlord attended.

The hearing lasted 52 minutes. There were no issues raised regarding service. I find service of documents complied with the *Act*.

Both parties had an opportunity to be heard, to present their affirmed testimony and to make submissions. Each party confirmed they were not recording the hearing.

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. This settlement agreement was reached in accordance with section 63.

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 parties acknowledged that the tenant shall pay \$155.76 as the amount agreed as outstanding for the tenant's portion of the hydro bill during 2021.
- 2) The parties agreed that all subsequent hydro bills shall be split between the parties in a ratio of 60% paid by the tenant and 40% 30% paid by the landlord.

This settlement was fully discussed by the parties. Each party stated they understood and agreed with the terms.

I accordingly issue the landlord a Monetary Order in the amount of \$155.76.

The tenancy shall continue pursuant to the tenancy agreement and the Act. Either party may apply for appropriate relief or directions with respect to this Order.

Based on the above, I find that all matters between these parties raised in this application are resolved pursuant to the above agreed terms.

Conclusion

The application is settled on the above terms.

I accordingly issue the landlord a Monetary Order in the amount of \$155.76. This Order must be served on the tenant. The Order may be file 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: August 16, 2021

Residential Tenancy Branch