



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, FFT

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice) pursuant to section 46;
- authorization to recover her filing fee for this application from the landlord pursuant to section 72.

The landlord's agent, S.M. attended the hearing via conference call and provided testimony.

The landlord and her translator, S.D. attended the hearing via conference call at 20 minutes past the start of the scheduled hearing time.

The tenant attended the hearing via conference call at 27 minutes past the start of the scheduled hearing time.

Both parties confirmed that discussions have taken place in which a settlement agreement was made.

Section 63 of the Residential Tenancy Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the two parties during the hearing led to a resolution. Specifically, it was agreed as follows:

Both parties agreed to mutually end the tenancy on November 30, 2021.  
As part of this agreement, both parties agree that any outstanding rental arrears as of the date of this hearing (August 19, 2021) shall be forgiven by the landlord.

Both parties agreed that the monthly rent to be paid for September and October 2021 shall be \$1,200.00 for each month. Both parties agreed that if the tenant fails to pay rent for either months, the landlord may serve the tenant the issued order of possession to be effective 2 days after it is served upon the tenant. Both parties also agreed that if the tenancy ends on November 30, 2021, no rent is to be paid by the tenant for November 2021.

The tenant agreed to Cancel the Application for Dispute filed.

The landlord agreed to Cancel the 10 Day Notice dated April 9, 2021.

Both parties agreed that the above noted particulars comprised a full and final settlement of all aspects of the dispute arising from their applications for dispute resolution.

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.

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 19, 2021

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Residential Tenancy Branch