



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, FFT
 MNR-DR, OPR-DR, FFL
 OPR, MNRL, FFL

Introduction

This hearing convened as a result of cross applications. In the Tenants' Application filed on April 16, 2021, they sought an Order canceling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, issued on April 11, 2021 (the "Notice") as well as recovery of the filing fee. In the Landlord's Application, filed on May 2, 2021, the Landlord requested monetary compensation and an Order of Possession based on the Notice as well as recovery of the filing fee. The Landlord filed another Application on May 23, 2021, in which he requested the same relief as in his May 2, 2021 Application.

The hearing of the applications was scheduled for 11:00 a.m. on August 23, 2021. The hearing was scheduled for teleconference at * on *. Both parties called into the hearing. The hearing process was explained, and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form and make submissions to me.

Settlement and Conclusion

During the hearing the parties reached a comprehensive settlement. Pursuant to section 63 of the *Residential Tenancy Act* (the "Act"), I record their agreement in this my Decision and resulting Orders. As the parties resolved matters by agreement, I make no findings of fact or law with respect to their relative claims.

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. The terms of the settlement are as follows.

1. The Tenants will vacate the rental unit by no later than **1:00 p.m. on August 29, 2021.**
2. The Landlords are entitled to an Order of Possession effective **1:00 p.m. on August 29, 2021** This order may be filed in the Supreme Court and enforced as an order of that Court.
3. The Tenants shall pay to the Landlords the sum of \$16,200.00 representing an agreed upon sum for outstanding rent. The parties agree this payment is without prejudice to the Landlords right to make further application for compensation for past and future/loss of rent, as well as other expenses relating to the tenancy such as cleaning and repair costs.
4. The Landlords are entitled to an Order under section 67 for the aforementioned \$16,200.00. This Order may be filed in the Provincial Court (Small Claims) and enforced as an Order of that Court.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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 23, 2021

Residential Tenancy Branch