



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

**Dispute Codes**      FFT LRE CNL-4M MNRT

### **Introduction**

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

- a monetary order for the cost of emergency repairs to the rental unit in the amount of \$10,000 pursuant to section 33;
- cancellation of the landlord's Four Month Notice to End Tenancy for Demolition, Renovation, Repair, or Conversion of Rental Unit (the "**Notice**") pursuant to section 49;
- an order to suspend or set conditions on the landlord's right to enter the rental unit pursuant to section 70; and
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

All parties attended the hearing and were given a full opportunity to be heard. The landlord was assisted by his girlfriend ("**LS**").

### **Settlement**

Pursuant to section 63 of the Act, an 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. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute:

1. The tenants will vacate the rental unit on or before October 31, 2021;
2. The landlord will pay the tenants \$2,000;
3. The landlord waives entitlement to rent for September and October 2021; and
4. The tenants may remove the following items from the rental unit when they vacate:
  - a. Refrigerator;
  - b. Cooking stove;
  - c. Wood stove;
  - d. Washer/dryer;

- e. Microwave
  - f. Deep freezer;
  - g. Curtains; and
  - h. Wooden shelves in the bedrooms and kitchen; and
5. The tenants will leave the following items in the rental unit:
- a. Toilet;
  - b. Bath tub;
  - c. Baseboard heaters and
  - d. Flooring in all rooms.

These particulars comprise the full and final settlement of all aspects of this dispute. The parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as legal, final, and binding, which settle all aspects of this dispute between them.

### **Conclusion**

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the settlement reached between the parties, and as discussed at the hearing, I issue:

- 1) An order of possession which requires that the tenants provide vacant possession of the rental unit to the landlord by 1:00 pm on October 31, 2021.
- 2) A monetary order ordering the landlord to pay the tenants \$2,000.

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