



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes For the tenants: CNR, OLC, DRI
For the landlords: OPU, MNRL-S

Introduction

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear an application regarding the above-noted tenancy. The tenants applied for:

- cancellation of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the Notice) pursuant to section 46;
- an order for the landlord to comply with the Act, the Residential Tenancy Regulation and/or tenancy agreement, under section 62; and
- an order to dispute a rental increase, pursuant to section 43.

The landlords' application pursuant to the Act is for:

- an order of possession under the Notice, pursuant to sections 46 and 55;
- a monetary order for unpaid rent and utilities, pursuant to section 26; and
- an authorization to retain the tenants' security deposit, under section 38.

Tenant CP and landlord KK attended the hearing. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

I note that the tenants' application lists tenant CP as applicant and landlord KK and BH as respondents. The landlords' application lists landlord BH as applicant and tenants CP and JC as respondents.

At the outset of the hearing the attending parties affirmed they understand it is prohibited to record this hearing.

Per section 95(3) of the Act, the parties may be fined up to \$5,000.00 if they record this hearing: "A person who contravenes or fails to comply with a decision or an order made by the director commits an offence and is liable on conviction to a fine of not more than \$5 000."

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 listed in these applications for dispute resolution:

1. The tenancy ended in July 2021 and the forwarding address (recorded on the cover page of this decision) for both tenants was provided during the hearing.
2. Both parties are at liberty to submit applications for compensation regarding the tenancy.

Conclusion

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

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 10, 2021

Residential Tenancy Branch