



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Brown Bros Agencies Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPR-DR, MNR-DR, FFL

### Introduction

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

- an order of possession for the rental unit, based on the issuance of a 10 Day Notice to End Tenancy For Unpaid Rent;
- a monetary order for unpaid rent; and;
- authorization to recover the filing fee from the Tenant.

### Preliminary matters

Pursuant to section 63 of the Act, if the parties settle their dispute during the dispute resolution proceeding, the settlement may be recorded in the form of a decision or an order. During the hearing, the parties reached a resolution, and the Tenants will vacate the rental unit. Both parties agreed to the following binding settlement terms:

- 1) The Tenancy ends on January 15, 2022.
- 2) The Tenants will provide vacant possession to the Landlord by 1:00 p.m. on January 15, 2022.
- 3) The Landlord will forgive the unpaid rent to November 30, 2021, if the Tenants vacate the rental unit on or before January 15, 2021.
- 4) The Tenants agree to pay rent of \$725.00 for December 2021.
- 5) The Tenants agree the Landlord may apply the Tenants' security deposit to the rent for January 1–15, 2022.

If the Tenants do not vacate the rental unit as agreed, the Landlord is at liberty to apply for a monetary order for the unpaid rent to November 30, 2021.

As the parties' outcome was achieved through negotiation, I decline to award recovery of the filing fee to the Landlord.

Conclusion

The Landlord's claims are dismissed.

In support of the parties' agreement, I grant the Landlord an order of possession effective January 15, 2022, at 1:00 p.m.

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: November 23, 2021

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Residential Tenancy Branch