



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, RR, RP, OLC

Introduction

This hearing was convened as the result of the tenant's application for dispute resolution seeking remedy under the Residential Tenancy Act (Act). The tenant applied for:

- an order cancelling the One Month Notice to End Tenancy for Cause (Notice) issued by the landlord;
- a reduction in monthly rent;
- an order requiring the landlord to make repairs to the rental unit; and
- an order requiring the landlord to comply with the Act, regulations, or tenancy agreement.

The tenant, the landlord and the landlord's agent (agent) attended the hearing and hearing instructions were provided. All parties were cautioned against recording the hearing and all parties affirmed that they were not recording the hearing.

Pursuant to the Residential Tenancy Branch Rules of Procedure (Rules), the landlord proceeded first in the hearing to support their Notice. After both parties provided their testimony and presented their evidence, the parties agreed to a mediated discussion.

Thereafter, the parties agreed to resolve their differences and that I would record their settlement.

Settlement and Conclusion

The parties confirmed 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 tenant agrees to vacate the rental unit by 1:00 p.m. Pacific Time on December 31, 2021.
2. The landlord is granted an Order of Possession of the rental unit effective at 1:00 p.m. on December 31, 2021. This Order must be served on the tenant to be enforceable, should it become necessary, and may be enforced in the Supreme Court of British Columbia.
3. This settlement resolves the matters contained in the tenant's application and no finding is made on the merits of the said application for dispute resolution or the landlord's Notice.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

The tenant is reminded that she still owes all rent due and payable under the written tenancy agreement until the end of the tenancy.

The tenant is cautioned that should enforcement of the order of possession of the rental unit become necessary, the costs of enforcement, **such as bailiff fees**, are subject to recovery from the tenant.

I order the parties to comply with their agreement.

This decision containing the recorded settlement 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 4, 2021