



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes:**

ERP

### **Introduction**

This hearing was convened in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied for an Order requiring the Landlord to make repairs to the rental unit.

The Tenant stated that on October 17, 2021 the Dispute Resolution Package and evidence submitted to the Residential Tenancy Branch on October 07, 2021 was personally served to the female Landlord. The Landlords acknowledge receipt of these documents and the evidence was accepted as evidence for these proceedings.

The participants were given the opportunity to present relevant oral evidence, to ask relevant questions, and to make relevant submissions. Each participant affirmed that they would speak the truth, the whole truth, and nothing but the truth during these proceedings.

The participants were advised that the Residential Tenancy Branch Rules of Procedure prohibit private recording of these proceedings. Each participant affirmed they would not record any portion of these proceedings.

### **Issues to be Considered**

Is there a need to issue an Order requiring the Landlord to make repairs?

### Background and Evidence

After considerable discussion about a leak that occurred in the residential complex and the subsequent need for repairs, the parties mutually agreed to settle all issues in dispute at these proceedings. As the parties reached a settlement agreement, the details of the leak are not being recorded in this decision.

The Landlords and the Tenant agreed to settle all issues in dispute in this Application for Dispute Resolution and all issues in dispute in another Application for Dispute Resolution, the file number of which appears on the first page of this decision. The parties agreed to settle these issues under the following terms:

- The tenancy will end, by mutual agreement, on November 30, 2021; and
- The Tenant will not need to pay rent for November of 2021.

The aforementioned settlement agreement was summarized for the parties on at least two occasions. The Landlords and the Tenant clearly indicated their intent to resolve this dispute under these terms.

The Landlords and the Tenant each acknowledged that they understand they were not required to enter into this agreement and that they were doing so voluntarily.

The Landlords and the Tenant each acknowledged that they understood the agreement was final and binding.

### Analysis

I find that the Landlords and the Tenant have agreed to settle all issues in dispute in this Application for Dispute Resolution and all issues in dispute in another Application for Dispute Resolution, the file number of which appears on the first page of this decision, in accordance with the aforementioned terms.

### Conclusion

All issues in dispute in this Application for Dispute Resolution have been settled by mutual agreement.

On the basis of the settlement agreement, the Landlords are granted an Order of Possession which requires the Tenant to vacate the unit by November 30, 2021. This

Order may be served on the Tenant, filed with the Supreme Court of British Columbia, and enforced as an Order of that Court.

This settlement agreement is recorded on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: November 09, 2021

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Residential Tenancy Branch