



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, RR, RP

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on August 5, 2021 (the "Application"). The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, dated August 1, 2021 (the "10 Day Notice").
- an order granting a rent reduction; and
- and order for regular repairs.

The Tenant and the Landlord attended the hearing at the appointed date and time. The opportunity for settlement was discussed with the parties during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement. I indicated on several occasions that if either party did not wish to resolve this matter through a mutually agreed settlement, I was prepared to hear their evidence and make a decision.

Settlement Agreement

During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The parties agree that the tenancy will end on **December 19, 2021 at 1:00PM.**
2. The Landlord is granted an order of possession effective **at 1:00PM on December 19, 2021.** The Landlord must serve the Tenant with the order of possession.
3. The parties agreed that the Landlord is permitted to retain the Tenant's security deposit in the amount of \$1,100.00.
4. The parties agree that the Tenant's owe the Landlord \$3,300.00 for unpaid rent.

5. The Landlord is granted a monetary order in the mount of \$3,300.00. The Landlord must serve the Tenant with the Monetary Order.
6. The Tenant withdraws her application in full as part of this mutually settled agreement.

This settlement agreement was reached in accordance with section 63 of the *Act*.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

The Landlord has been granted an order of possession effective December 19, 2021, at 1:00 p.m. This order must be served on the Tenant and may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

The Landlord is granted a monetary order in the amount of \$3,300.00. The monetary order should be served to the Tenant as soon as possible and may be filed in and enforced as an order of the Provincial Court of British Columbia (Small Claims).

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: December 06, 2021

Residential Tenancy Branch