



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Harron Investments Inc
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPT, FF

Introduction

This hearing was reconvened as a result of the tenant's application for dispute resolution seeking remedy under the Residential Tenancy Act (Act). The tenant applied for an order of possession of the rental unit and for recovery of the filing fee paid for this application.

The hearing originally began on December 20, 2021, and was adjourned due to issues with service of the application and evidence. An Interim Decision was made in this matter, which is incorporated by reference and should be read in conjunction with this Decision.

The tenant and the landlord's advocate (advocate) attended, and a discussion began regarding a settlement of the issues.

At the outset of the hearing, the parties entered into a mediated discussion and agreed to resolve the tenant's application. The parties additionally agreed that I would record their settlement, as noted below.

Settlement Agreement

As the parties resolved matters by agreement, I make no findings of fact or law with respect to the tenant's claims.

The parties confirmed at the end of the hearing 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 landlord agrees to let the tenant return to the rental unit forthwith upon written notification from the municipality that no further inspection or permit fees are required, and that the rental unit has been approved, or cleared, for occupancy.
2. The tenant agrees to participate in a new inspection of the rental unit with this named landlord, who is not the original landlord, for a new condition inspection report (Report).
3. The tenant agrees to enter into a new written tenancy agreement with this landlord, for the same monthly rent.

As I made no findings on the merits of the tenant's application, I decline to award recovery of the filing fee.

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.

This decision containing the parties' settled agreement 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: January 21, 2022

Residential Tenancy Branch