



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding GOLDEN PROPERTY INVESTMENTS LTD. and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes PFR

Introduction

This hearing was convened as a result of the Landlord's Application for Dispute Resolution. The participatory hearing was held, by teleconference, on May 30, 2022. The Landlord applied for an order of possession for the rental unit in order to perform renovations or repairs that require the rental unit to be vacant, under section 49.2(1) of the *Residential Tenancy Act* ("the Act").

Both parties attended the hearing and provided affirmed testimony. All parties were provided the opportunity to present evidence orally and in written and documentary form, and to make submissions to me. Both parties confirmed receipt of each other's documentary evidence.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Settlement Agreement

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a decision and an Order:

Both parties agree that:

- The tenancy will end by, and the Tenant must vacate the rental unit no later than, July 31, 2022, at 1pm.
- The Tenant will continue to pay normal monthly rent (\$781.00/month), until the end of the tenancy
- Once the Tenant vacates the rental unit, the Landlord will pay the Tenant \$2,000.00, forthwith.
 - The Landlord is not required to provide one month compensation in addition to the above noted amount of \$2,000.00
- The Tenant relinquishes her right of first refusal after the rental unit has been renovated.
- The Tenant may still proceed with her future application for monetary compensation which she has already filed.

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. Parties are encouraged to try to work together on any remaining issues.

In support of the above agreement, I will issue an order of possession to the Landlord to reflect the end of the tenancy, July 31, 2022, at 1 pm. This order may be served if the Tenant fails to move out by this date.

I will also issue a monetary order to the Tenant for the above noted amount of \$2,000.00, which will be payable once she vacates the rental unit.

Conclusion

In support of the agreement described above, the Landlord is granted an order of possession effective **July 31, 2022**, at 1:00 p.m. This order must be served on the Tenant. If the Tenant fails to comply with this order the Landlord may file the order with the Supreme Court of British Columbia and be enforced as an order of that Court.

The Tenant is granted a monetary order in the amount of **\$2,000.00**. This order must be served on the Landlord. If the Landlord fails to comply with this order the Tenant may file the order in the Provincial Court (Small Claims) and be enforced as an order of that Court.

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: May 30, 2022

Residential Tenancy Branch