



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **CNR-MT**  
                             **FFL, OPR-DR, MNRL**

### Introduction

This hearing dealt with applications from the landlord and the tenant. The landlord has applied for an Order of Possession for unpaid utilities and rent, a Monetary Order for unpaid utilities and rent, and a return of the filing fee. The tenant has applied to cancel the landlord's 10 Day Notice for Unpaid Rent and more time to dispute the notice.

### Analysis

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute during the dispute resolution proceedings, the settlement may then be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

1. Both parties entered into a mutual agreement that this tenancy will end on June 30, 2022 at 1:00 P.M., by which date the tenant and any other occupants will have vacated the rental unit.
2. The landlord agreed to accept \$5,878.00 in satisfaction for all unpaid utilities and rent for the months of February, March, April and May 2022.

3. The tenant confirmed that rent for June 2022 along with utilities was to be paid on June 1, 2022.
4. Both parties agreed that this settlement agreement constituted a final and binding resolution of the tenant's application.

These particulars comprise the full and final settlement of all aspects of this dispute for both parties. Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion. Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute.

### Conclusion

To give effect to the settlement reached between the parties and as discussed with them during the hearing, I issue an Order of Possession to the landlord, which is to take effect by 1:00 PM on June 30, 2022. The landlord is provided with this Order in the above terms and the tenant must be served with it. Should the tenant fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

To give legal effect to the settlement agreed to by the parties and outlined above, I grant the landlord a monetary order of \$5,878.00. Should the tenant fail to comply with the order, the order may be filed in the Provincial Court of British Columbia and 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 13, 2022

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Residential Tenancy Branch