



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNRT, MNDCT, CNL, DRI, FFT

### Introduction

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear an application regarding the above-noted tenancy. The tenant applied for:

- a monetary order for the cost of emergency repairs, under sections 33 and 67;
- a monetary order for compensation for damage or loss under the Act, Residential Tenancy Regulation, or tenancy agreement, pursuant to section 67;
- cancellation of the Two Month Notice to End Tenancy for Landlord's Use, issued pursuant to section 49;
- an order to dispute a rental increase, pursuant to section 43; and
- an authorization to recover the filing fee for this application, under section 72.

Tenant JW (the tenant) and landlord BX attended the hearing. The tenant represented tenant AW. Landlord BX was assisted by interpreter YL and counsel KY (the landlord). Witnesses for the landlord BY and JS also attended. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

At the outset of the hearing the attending parties affirmed they understand the parties are not allowed to record this hearing.

Per section 95(3) of the Act, the parties may be fined up to \$5,000.00 if they record this hearing: "A person who contravenes or fails to comply with a decision or an order made by the director commits an offence and is liable on conviction to a fine of not more than \$5,000.00."

### Settlement

Pursuant to section 63 of the Act, an 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. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all the issues listed in this application for dispute resolution:

1. The tenants agree to provide the landlord with vacant possession of the subject rental property by 1:00 P.M. on May 31, 2022, including all the suites in the property.
2. The tenancy will end because of the 2 month notice to end tenancy dated January 25, 2022.
3. Both parties are at liberty to submit applications for any monetary claims related to this tenancy.
4. The parties withdrew the application for dispute resolution file number \*\*\*\*\*448 (the number is recorded on the cover page of this decision).

### Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the settlement reached between the parties and as discussed with them during the hearing, pursuant to section 63(2) of the Act, I issue an order of possession to the landlord, which is to take effect by 1:00 P.M. on May 31, 2022. The landlord is provided with this order in the above terms and must serve it on the tenants in accordance with the Act. If the tenants fail to comply with this Order, this order may be filed and enforced as an order of the Supreme Court of British Columbia.

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 12, 2022

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Residential Tenancy Branch