



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Singh Development Ltd
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR, RR, RP, OLC, LRE, OPR, MNRL-S, FFL

Introduction

This hearing was convened in response to an application by the Tenant and an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”).

The Tenant applied for:

1. An Order cancelling a notice to end tenancy - Section 46;
2. An Order for a rent reduction - Section 65;
3. An Order for repairs - Section 32;
4. An Order for the Landlord’s compliance - Section 62; and
5. An Order restricting the Landlord’s entry - Section 70.

The Landlord applied for:

1. An Order of Possession - Section 55;
2. An Order for unpaid rent or utilities - Section 67;
3. An Order to retain the security deposit - Section 38; and
4. An Order to recover the filing fee for this application - Section 72.

The Parties were each given full opportunity to be heard, to present evidence and to make submissions. During the hearing the Parties reached a settlement agreement. The Parties confirmed at the end of the hearing that they conducted a final review for accuracy of the terms of the mutual agreement reached by Parties during the

hearing, that this agreement was made on a voluntary basis and that they understood the nature of the full and final settlement of these matters.

Agreed Facts

The tenancy began December 23, 2021. At the outset of the tenancy, the Landlord collected a security deposit of \$1,350.00.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The tenancy will end at 1:00 p.m. on June 30, 2022;**
- 2. The Tenant owes \$6,000.00 in unpaid rent to June 30, 2022 (the “Rent Owed”);**
- 3. The Landlord will retain the security deposit plus zero interest against the Rent Owed leaving \$4,650.00 owed by the Tenant to the Landlord; and**
- 4. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63(2) of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order. Given the mutual agreement reached during the hearing, I find that the Parties have settled their dispute as recorded above. To give effect to this agreement I grant the Landlord an order of possession on the agreed terms and a monetary order for \$4,650.00.

Conclusion

The Parties have settled the dispute.

I grant an Order of Possession to the Landlord effective at 1:00 p.m. on June 30, 2022. The Tenant must be served with this **Order of Possession**. Should the Tenant fail to

comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

I grant the Landlord an order under Section 67 of the Act for **\$4,650.00**. If necessary, this order may be filed in the Small Claims Court 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 Act.

Dated: June 14, 2022

Residential Tenancy Branch