



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPT, FFT

### Introduction

This hearing was convened as a result of the Applicant's application under the *Residential Tenancy Act* (the "Act") for:

- an Order of Possession pursuant to section 54; and
- authorization to recover the filing fee for this application from the Respondent pursuant to section 72.

The Applicant VM and the Respondent's agent KN attended this hearing.

### Amendment of Style of Cause

This application initially listed KN and her minor child CT as joint applicants with VN. The evidence is that KN and CT had not consented to being applicants. KN confirmed she is the Respondent's daughter and is appearing as his agent.

#### **4.2 Amending an application at the hearing**

In circumstances that can reasonably be anticipated, such as when the amount of rent owing has increased since the time the Application for Dispute Resolution was made, the application may be amended at the hearing.

If an amendment to an application is sought at a hearing, an Amendment to an Application for Dispute Resolution need not be submitted or served.

Based on the parties' testimonies, I have amended the style of cause to remove KN and CT as applicants. I am satisfied that the circumstances for doing so can be reasonably anticipated.

### 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:

1. This application shall be dismissed without leave to re-apply.
2. Neither party shall bring any further applications before the Residential Tenancy Branch with respect to this dispute address and the facts giving rise to this application.

The parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as legal, final and binding.

### Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application and make no award regarding the filing fee.

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: July 5, 2022

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Residential Tenancy Branch