



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNC CNR

### Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. A participatory hearing was held on August 11, 2022. The Tenant applied for multiple remedies, pursuant to the *Residential Tenancy Act* (the "Act"):

The Landlord and the Tenants both attended the hearing and provided affirmed testimony.

### 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:

### *Notices to End Tenancy*

- All 10 Day Notices to End Tenancy and all 1 Month Notices to End Tenancy issued as of today's date are cancelled and of no force or effect.
- The parties agree to end the tenancy as of September 30, 2022.
- An order of possession will be issued to reflect this date

### *Money Owed*

- Both parties agree that the Tenants currently owe the Landlord \$1,600.00 at the time of this hearing, and that the Tenants will owe an additional \$1,500.00 as of September 1, 2022, totalling \$3,100.00 by the end of September 2022.
- The parties agree that the Tenants will ensure the Landlord receives the following payments on the following dates to pay off all outstanding rent until the end of the tenancy:
  - August 25, 2022 – Tenants will pay \$1,450.00
  - August 29, 2022 – Tenants will pay \$500.00
  - September 24, 2022 – Tenants will pay \$1,150.00
- Both parties agree that if the Tenants fail to ensure the Landlord receives the above noted payments on the above noted dates, the Landlord is entitled to serve and enforce the attached 2 Day Order of Possession.
- Even if all payments are made, as above, the tenancy will still end as of September 30, 2022, and the Landlord will also receive a second Order of Possession, effective September 30, 2022.
- Furthermore, the parties agreed that the Landlord is entitled to a monetary order in the amount of \$3,100.00 which includes rent up to and including the end of September 2022
  - The Landlord may only attempt to collect or any unpaid amounts, and any payments made between now and the end of the tenancy must be deducted from the above noted amount owed.

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.

### Conclusion

In support of the agreement described above, the landlord is granted an order of possession effective **two days after service** on the tenant, which the Landlord may serve and enforce if the tenant fails to make payments as laid out above. 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.

In support of the agreement described above, the Landlord is granted an order of possession effective **September 30, 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.

In support of the agreement described above, the Landlord is granted a monetary order pursuant to Section 67 in the amount of **\$3,100.00**. The Landlord may only seek to enforce this order for amounts that remain unpaid, and if the payment arrangements are not met. The Landlord should be prepared to corroborate whether some payments have been made along the way, if and when this order is enforced. This order must be served on the Tenant. If the Tenant fails to comply with this order the Landlord 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: August 11, 2022

---

Residential Tenancy Branch