



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNQ, FFT

Introduction and Settlement

Pursuant to section 58 of the *Residential Tenancy Act* (the Act), I was designated to hear an application regarding a residential tenancy dispute. The tenant applied on April 28, 2022 for:

- an order to cancel a Two Month Notice to End Tenancy Issued Because Tenant Does Not Qualify for Subsidized Rental Unit, dated April 13, 2022; and
- the filing fee.

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.

I advised the parties there is no obligation to resolve the dispute through settlement and that if either party did not wish to resolve this matter through settlement, I would hear testimony and make a decision based on the evidence before me. The parties were able to turn their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following binding settlement terms:

- 1) The tenant will deliver full and peaceable vacant possession of the rental unit to the landlord by 1:00 p.m. on September 30, 2022.
- 2) The landlord will pay the tenant \$1,750.00 for the pet damage deposit, plus an additional \$3,000.00, for a total of \$4,750.00, by e-transfer or cash, by 1:00 p.m. on August 31, 2022.
- 3) The tenant is not required to pay rent for September 2022.

- 4) The security deposit will be dealt with in accordance with the Act.

Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion, and that this was a full and final resolution of this dispute. As the parties resolved matters by agreement, I make no findings of fact or law with respect to the tenant's application before me.

In support of the settlement terms, I grant the landlord an order of possession effective at 1:00 p.m. on September 30, 2022.

Conclusion

The landlord is granted an order of possession effective September 30, 2022 at 1:00 p.m.

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 29, 2022

Residential Tenancy Branch