



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, FFT

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for unpaid rent or utilities and to recover the filing fee from the landlord for the cost of the application.

The tenant and the landlord attended the hearing and the landlord was assisted by an agent.

During the course of the hearing the parties agreed to settle this dispute in the following terms:

1. the landlord will have an Order of Possession effective at 1:00 p.m. on October 15, 2022 and the tenancy will end at that time;
2. the landlord will have a monetary order in the amount of \$3,250.00 for: unpaid rent for August, 2022 of \$1,300.00; unpaid rent for September, 2022 of \$1,300.00 and \$650.00 for rent to the end of the tenancy on October 15, 2022.
3. the landlord cancels the Direct Request Application, which has not yet been adjudicated upon.

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.

The tenant must be served with the 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.

The tenant must also be served with the monetary order. If the amount awarded is not paid by the tenant within a reasonable time, the landlord may file the order for enforcement in the Provincial Court of British Columbia, Small Claims division as a judgment.

Since the parties have settled this dispute, I decline to order that the tenant recover the filing fee from the landlord.

Conclusion

For the reasons set out above, and by consent, I hereby grant an Order of Possession in favour of the landlord effective at 1:00 p.m. on October 15, 2022.

I further grant a monetary order in favour of the landlord as against the tenant pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$3,250.00.

This order is final and binding and may be enforced.

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: September 27, 2022

Residential Tenancy Branch