



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      AAT, CNR, PSF, LAT, OLC, LRE  
OPU-DR, MNU-DR, FFL

### Introduction

This hearing convened as a result of cross applications. In the Tenant's Application filed on June 8, 2022 he sought the following relief:

- an Order canceling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities issued on June 5, 2022 (the "Notice");
- an Order that the Landlord:
  - be restricted from entering the rental unit;
  - provide services or facilities as required by law; and,
  - comply with the *Residential Tenancy Act*, the *Residential Tenancy Regulation*, or the residential tenancy agreement.
- an Order permitting the Tenant to change the locks on the rental unit; and
- an Order for access to the rental unit.

In the Landlord's Application filed on July 29 they sought an Order of Possession and Monetary Order for Unpaid rent and utilities as well as recovery of the filing fee.

The hearing of the cross applications was scheduled for 9:30 a.m. on October 25, 2022. Both parties called into the hearing. The Tenant was represented by an advocate, P.G. the Landlord's property managers, S.K. and H.L. also called in. The hearing process was explained and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

### Settlement and Conclusion

During the hearing the parties resolved matters by mutual agreement. The terms of their agreement is recorded in this my Decision and Orders pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. As the parties resolved matters by agreement, I make no findings of fact or law with respect to their relative claims.

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 all matters raised in their respective applications.

The terms of their settlement follow.

1. The tenancy shall end and the Tenant shall vacate the rental unit by no later than 5:00 p.m. on October 31, 2022.
2. The Landlord is granted an Order of Possession effective 5:00 p.m. on October 31, 2022. The Landlord must serve the Order on the Tenant as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court.
3. On November 1, 2022, The Landlord shall pay to the Tenant the sum of \$2,000.00.
4. In furtherance of the above, I grant the Tenant a Monetary Order in the amount of \$2,000.00 The Monetary Order must be served on the Landlord and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.
5. The Landlord is at liberty to file for further monetary compensation, including a claim for compensation for cleaning or repairs to the rental unit, and/or loss of

rent should the Tenant not vacate the rental unit as required or leave the rental unit in a condition which contravenes section 37(2) of the *Act*.

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: October 26, 2022

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Residential Tenancy Branch