



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding FRASER PROPERTY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL-4M, MNRT, MNDCT, RR, RP, PSF, LRE OLC, FFT

Introduction

This hearing was convened by way of conference call concerning an application made by the tenants seeking the following relief:

- an order cancelling a 4-Month Notice to End Tenancy for Demolition or conversion to another use;
- a monetary order for the cost of emergency repairs;
- a monetary order for money owed or compensation for damage or loss under the *Residential Tenancy Act*, regulation or tenancy agreement;
- an order reducing rent for repairs, services or facilities agreed upon but not provided;
- an order that the landlord make repairs to the rental unit or property;
- an order that the landlord provide services or facilities required by the tenancy agreement or the law;
- an order limiting or setting conditions on the landlord's right to enter the rental unit;
- an order that the landlord comply with the *Act*, regulation or tenancy agreement; and
- to recover the filing fee from the landlord for the cost of the application.

One of the named tenants attended the hearing and represented the other named tenants. The landlord was represented at the hearing by an agent, accompanied by Legal Counsel and an Articled Student.

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

1. the tenancy will end on December 31, 2022 at 1:00 p.m. and the landlord will have an Order of Possession effective at that date and time;
2. the tenants will not pay rent for the months of August, 2022 to December, 2022;

3. the tenants will have a monetary order as against the landlord in the amount of \$5,600.00.

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 landlord must serve the Order of Possession to the tenants, and may file the order for enforcement in the Supreme Court of British Columbia.

The tenants must serve the monetary order to the landlord, which may be filed in the Provincial Court of British Columbia, Small Claims division and enforced as a judgment.

I leave it to the parties to deal with the security deposit in accordance with Section 38 of the *Residential Tenancy Act*.

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

Conclusion

For the reasons set out above, I hereby grant an Order of Possession in favour of the landlord effective at 1:00 p.m. on December 31, 2022 and the tenancy will end at that time.

I further order that the tenants will not pay any rent for the months of August, September, October, November or December, 2022.

I hereby grant a monetary order in favour of the tenants as against the landlord pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$5,600.00.

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: November 10, 2022

Residential Tenancy Branch