



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing was convened as a result of the Tenant's application under the *Residential Tenancy Act* (the "Act") to dispute a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated July 6, 2022 pursuant to section 46.

The Landlord and the Tenant attended this hearing.

Settlement

Pursuant to section 63 of the Act, an 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.

During the hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

The parties agreed to the following final and binding settlement of the issues under dispute in this application:

1. The Tenant and any other occupant will vacate the rental unit by 1:00 pm on December 31, 2022.
2. The Tenant will pay \$1,450.00 to the Landlord on December 21, 2022, which consists of \$1,300.00 for December 2022 rent and \$150.00 towards repayment of the Rent Arrears (as defined in clause 3 below).

3. The Tenant acknowledges that he owes rent to the Landlord for the months of May, June, July, and November 2022 in the amount of \$1,300.00 × 4 months = \$5,200.00 (the “Rent Arrears”).
4. The Landlord is authorized to retain the Tenant’s \$650.00 security deposit in partial satisfaction of the Rent Arrears.

The parties gave verbal affirmation at the hearing that they understood and agreed to the above settlement terms as final, binding, and enforceable, which resolve the issues raised on this application.

Conclusion

To give effect to the above settlement and as further agreed to by the parties during the hearing:

- I grant the Landlord an Order of Possession which orders that the Tenant provide vacant possession of the rental unit to the Landlord by **1:00 pm on December 31, 2022**. This Order may be served upon the Tenant, filed with the Supreme Court of British Columbia, and enforced as an Order of that Court.
- I grant the Landlord a Monetary Order for the Tenant to pay the Landlord **\$1,450.00** effective **December 21, 2022** and **\$4,400.00** for the balance of the Rent Arrears effective **January 1, 2023**. This Order may be served on the Tenant, filed in the Provincial Court of British Columbia, and 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: December 02, 2022

Residential Tenancy Branch