



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PERFORMANCE POWER PLAY REALTY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR OLC FFT

Introduction

This hearing was convened as a result of the tenants' Application for Dispute Resolution seeking remedy under the *Residential Tenancy Act* (Act). The tenants applied to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated July 22, 2022 (10 Day Notice), for an order directing the landlord to comply with the Act, regulation or tenancy agreement, and to recover the cost of the filing fee.

The tenants and an agent for the landlord, JW (agent) attended the teleconference hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing and make submissions to me. The hearing process was explained to the parties and an opportunity to ask questions about the hearing process was provided to the parties. Words utilizing the singular shall also include the plural and vice versa where the context requires.

Settlement Agreement

During the hearing, the parties agreed to settle all matters related to this tenancy, on the following conditions:

1. The parties agree that the landlord will waive the \$875 unpaid portion of July 2022 rent in exchange for both parties agreeing that they will not apply for further remedy under the Act regarding this tenancy.
2. The parties agree that this mutually settled agreement represents a full and final settlement of all matters related to this tenancy.

This settlement agreement was reached in accordance with section 63 of the Act. The parties confirmed at the end of the hearing that this agreement was made on a

voluntary basis and that the parties understood the binding nature of this full and final settlement of these matters.

I do not grant the filing fee as this matter was resolved by way of a mutual agreement.

I order the parties to comply with the terms of their mutually settled agreement listed above.

Conclusion

All matters related to this tenancy have been resolved by way of this mutually settled agreement, in accordance with section 63 of the Act. The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the binding nature of this full and final settlement of all matters related to this tenancy. I order the parties to comply with the terms of their mutually settled agreement described above pursuant to section 63 of the Act.

This decision will be emailed to both parties at the email addresses confirmed at the outset of the hearing.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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 13, 2022

Residential Tenancy Branch