



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- cancellation of the landlord's One Month Notice to End Tenancy for Cause (the One Month Notice) pursuant to section 47;
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62.

All named parties attended the hearing. During the hearing, the parties expressed an interest and were successful in resolving this dispute by mutual agreement.

Terms of 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.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The landlord agreed to withdraw the One Month Notice dated August 10, 2022 if the tenant meets the following agreed to conditions:
 - i. The tenant pays the \$850.00 rent for December 2022 in full on or before 4:00 p.m. on December 11, 2022.
 - ii. The tenant compensates the landlord for a damaged door in the amount of \$211.00 on or before January 31, 2023.

- iii. The tenant compensates the landlord for an extra occupant in the amount of \$400.00 on or before January 31, 2023.
2. The tenant and landlord agreed that the landlord will be granted an order of possession which is conditional on the tenant meeting each of the above terms and respective deadlines. If the tenant fails to comply with any of the above terms by the stated deadlines, the landlord may enforce the attached order of possession effective **two days after service of the Order** on the tenant.

Each party confirmed that this agreement was reached voluntarily and that they understood the terms of the agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute.

This Decision and Settlement Agreement is final and binding on both parties.

Conclusion

Subject to the conditions described above, I grant an Order of Possession to the landlord effective **two days after service of the Order** on the tenant. Should the tenant(s) fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

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 09, 2022

Residential Tenancy Branch