



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

SETTLEMENT DECISION

Dispute Codes MNETC, FFT

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on May 26, 2022. The Tenant applied for compensation from the Landlord related to a Two Month Notice to End Tenancy for Landlord's Use of Property and to recover the filing fee, pursuant to the Residential Tenancy Act (the Act).

The Tenant attended the hearing and was accompanied by DK, legal counsel. The Landlord attended the hearing on his own behalf. Both the Tenant and the Landlord provided a solemn affirmation at the beginning of the hearing.

Settlement

The potential for settlement was raised by the parties during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement, which would be documented in my decision.

The parties agreed to settle the issues raised in the Tenant's application as follows:

1. The Landlord agrees to pay the Tenant \$20,900.00 (the Settlement Amount);

2. The parties agreed the Landlord will pay the Settlement Amount to the Tenant in installments as follows:
 - a. \$1,500.00 on the 14th day of each month, commencing February 14, 2023 and ending on July 14, 2023;
 - b. \$1,983.33 on the 15th day of each month, commencing February 15, 2023 and ending on June 15, 2023; and
 - c. a single payment of \$1,983.35 on July 15, 2023 (the Installment Payments).
3. The parties agree the Installment Payments will be made by e-transfer to the Tenant's email address which was provided during the hearing and has been reproduced above for ease of reference.
4. The parties agree the Tenant is entitled to a monetary order for \$20,900.00, which may be enforced in the Provincial Court of British Columbia (Small Claims) if any of the Installment Payments are not made when due.
5. The Tenant agrees to withdraw the application in full as part of this agreement.

This settlement agreement was reached in accordance with section 63 of the Act. As the outcome was achieved through negotiation, I decline to grant recovery of the filing fee to the Tenant.

Conclusion

I order the parties to comply with the terms of the settlement agreement set out above.

In support of the settlement, and with the agreement of the parties, I grant the Tenant a monetary order for \$20,900.00. The order may be enforced in the Provincial Court of British Columbia (Small Claims) if any of the Installment Payments described above are not made when due.

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: February 7, 2023

Residential Tenancy Branch