



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Housing

A matter regarding SCANDIA DEVELOPMENTS  
LTD and [tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes**      **CNR-MT, MNDCT, RP, PSF, OLC**

### **Introduction**

This hearing dealt with an Application for Dispute Resolution by the tenant filed under the *Residential Tenancy Act* (the “Act”) to be allowed more time to dispute a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “Notice”) issued on January 11, 2023, to have the landlord make repairs to the rental unit, to have the landlord provide services or facilities required by the tenancy agreement and to have the landlord comply with the Act.

Both parties appeared. During the hearing the parties agreed to settle these matters, on the following conditions:

1. The tenant stated that they have not been living in the rental unit; however, they have not removed their belongings, nor have they given the rental unit back to the landlord.;
2. The parties agreed to end the tenancy on March 31, 2023, and the landlord is entitled to an order of possession;
3. The parties agreed that should any items be left behind by the tenant on March 31, 2023, those items will be treated as abandoned; and
4. As the tenant is not living in the rental unit, the landlord does not require to give the tenant notice of entry to make repairs.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

It should be noted for the record, the tenant did not have tenant insurance. The landlord will check with their insurance company to see if they can recover unpaid rent as the

tenant has not paid any rent for three months. Should the issues of unpaid rent not be resolved the landlord is entitled to make a claim.

As the tenant was unable to give the landlord a forwarding address for service. I have granted the landlord a substituted service order to be allowed to serve the tenant by email. This will include the Order of Possession and if necessary any further application. The tenant was informed of this order at the hearing, and I have noted the email address on the covering page of this decision. The landlord may file a copy of this Decision at any future hearing to prove they have been granted the authority to serve the tenant by email.

The tenant is still required under section 38 of the Act to provide the landlord with their forwarding address, in writing. This does not include the email address.

### Conclusion

As a result of the above settlement landlord is granted an order of possession should the tenant fail to comply with the settlement agreement.

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: March 21, 2023

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Residential Tenancy Branch