



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes Tenants: CNC, DRI, LRE
Landlord: OPC, FFL

Introduction

This hearing dealt with the Tenants' application under the *Residential Tenancy Act* (the "Act") for:

- cancellation of a One Month Notice to End Tenancy for Cause (the "One Month Notice") pursuant to section 47;
- disputing a rent increase above the amount allowable under the Act pursuant to section 41; and
- an order suspending or setting conditions on the Landlord's right to enter the rental unit pursuant to section 70(1).

This hearing also dealt with the Landlord's application under the Act for:

- an Order of Possession under a One Month Notice to End Tenancy for Cause, pursuant to section 55; and
- authorization to recover the filing fee for this application from the Tenants pursuant to section 72.

The Landlord's agent GCA, the Tenants GCI and EA, and GCI's interpreter JAC 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 the parties' applications:

1. This tenancy will end on May 31, 2023. The Tenants and any other occupant will vacate the rental unit by 1:00 pm on May 31, 2023.
2. If the Tenants do not pay April 2023 rent of \$1,400.00 to the Landlord by April 1, 2023, or do not pay May 2023 rent of \$1,400.00 to the Landlord by May 1, 2023, the Landlord may end the tenancy immediately and enforce the Order of Possession (granted below).

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 all issues raised on the parties' applications.

I take this opportunity to further remind the parties that their rights and responsibilities under the Act, the regulation, their tenancy agreement continue for the duration of the tenancy. Pursuant to section 60 of the Act, either party may make claims related to the tenancy within two years of the date that the tenancy ends.

Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the above settlement and as further agreed to by the parties, I grant the Landlord an Order of Possession which orders that the Tenants provide vacant possession of the rental unit to the Landlord by **1:00 pm on May 31, 2023**, with a term for immediate enforcement if rent is not paid as stipulated in clause 2 above. This Order may be served upon the Tenants, filed with the Supreme 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: March 30, 2023

Residential Tenancy Branch