



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

Dispute Codes      CNR, CNC, MNDCT, AAT, RPP, OLC

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants filed under the *Residential Tenancy Act* (the “Act”) to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “Notice”) issued on December 2, 2022.

By consent this hearing dealt with an Application for Dispute Resolution by the tenants filed under the *Residential Tenancy Act* (the “Act”) to cancel a One Month Notice to End Tenancy for Cause, (the “One Month Notice”) received on November 27, 2022.

By consent this hearing dealt with an Application for Dispute Resolution by the tenants for monetary compensation for monetary loss or other money owed, to have the landlord allow access to the unit, to have the landlord return my personal property and to have the landlord comply with the Act.

The landlord, the landlord’s agent and the tenant KM appeared. After a lengthy discussion 40 minutes the parties agreed that these matters are settled as follows.

### Settlement agreement and statement of facts

- The tenant KM testified that their co-tenant DR did commit fraud by altering the tenancy agreement, which was submitted as evidence for this hearing;
- The tenant KM testified that the co-tenant DR did not have their consent to file an application on their behalf claiming compensation for items that DR did not own to which they were not seeking compensation, nor is there any evidence on how the cat died. KM stated that application should be dismissed;
- The parties agreed that the hearing dates of April 14, 2023, at 1:30pm and the hearing of April 17, 2023, at 9:30am are cancelled.
- The parties agreed to mutually end the tenancy effective April 30, 2023 and the landlord is entitled to an order of possession.

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

Although the tenant DR did not attend. DR must also move out of the rent unit as the tenancy was ended by the co-tenant in accordance with the Act.

### Conclusion

As a result of the above settlement, the landlord is granted an order of possession should the tenants fail to comply with the settlement agreement. The tenants' application are dismissed without leave to reapply.

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 16, 2023

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Residential Tenancy Branch