



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

Dispute Codes      CNR, FFT

### Introduction

This hearing dealt with an application by the tenant pursuant to the Residential Tenancy Act (the “Act”) for cancellation of the 10-Day Notice to End Tenancy for Unpaid Rent (the 10-Day Notice”).

TS attended the hearing with TB and CD appearing as their advocates. SD (the “landlord”) attended the hearing with SS appearing as their advocate. Both parties were given full opportunity to be heard, to present their testimony and to make submissions. All parties confirmed they were not recording the hearing pursuant to Rule of Procedure 6.11.

### Analysis

Pursuant to section 63 of the Act, the 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, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

1. This tenancy is ended by way of a mutual agreement and not pursuant to the 10-day Notice issued February 25, 2023.
2. The tenant will vacate the rental unit on or before April 15<sup>th</sup>, 2023, not later than 1:00 p.m.

3. The tenant will remove the boat and motorcycle from the rental property on or before April 15<sup>th</sup>, 2023, not later than 1:00 p.m.
4. Both parties agreed that this settlement agreement constituted a final and binding resolution of the application before me today.

Conclusion

To give effect to the settlement reached between the parties and as discussed with them during the hearing, I issue an Order of Possession to the landlord, which is to take effect not later than 1:00 p.m. on April 15, 2023. Should the tenants 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: March 27, 2023

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Residential Tenancy Branch