



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding WOODFIBRE LNG LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNRL

Introduction

The Landlord applied for dispute resolution (“Application”) and seeks an Order of Possession on an undisputed 10 Day Notice to End Tenancy for Unpaid Rent (the “Notice”) under section 55(2)(b) of the *Residential Tenancy Act* (the “Act”). They are also seeking a Monetary Order for unpaid rent under section 26 of the Act.

An Agent for the Landlord, D.S., attended the hearing. One of the Tenants, A.M., attended the hearing for the Tenants. All parties who provided testimony affirmed to tell the truth during proceedings and were given a full opportunity to be heard, to present affirmed testimony, to call witnesses, and make submissions.

D.S. testified they served the Notice of Dispute Resolution Package (“Materials”) on the Tenants by email on February 10, 2023. A.M. confirmed receipt of the Landlord’s Materials, confirmed that the email address had been provided for the purposes of service and raised no issues with service. Therefore, I find that pursuant to section 89 of the Act, the Landlord’s Materials were sufficiently served to the Tenants.

Settlement

Pursuant to section 63 of the Act, an arbitrator may assist the parties to settle their dispute. 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 were able to reach a compromise and achieved a resolution of their dispute on mutually agreed terms.

Both parties agreed to the following final and binding settlement of all issues listed in the Application:

- The Tenants will provide the Landlord with vacant possession of the rental unit by 1:00 P.M. on April 30, 2023.
- The Tenants will pay the Landlord the sum of \$15,219.00 in full satisfaction of unpaid rent.
- Both parties agreed that this settlement agreement constituted a final and binding resolution of the Landlord's Application.

To give effect to the settlement reached between the parties and, as discussed with them during the hearing, pursuant to section 63(2) of the Act, I issue an Order of Possession to the Landlord which is to take effect by 1:00 P.M. on April 30, 2023.

The Landlord is provided with this Order in the above terms and must serve it on the Tenants in accordance with the Act. If the Tenants do not comply with the Order of Possession, it may be filed by the Landlord with the Supreme Court of British Columbia and enforced as an order of that court.

Additionally, to give effect to the settlement reached between the parties and as discussed with them during the hearing, pursuant to section 63(2) of the Act, I grant the Landlord a Monetary Order in the amount of \$15,219.00.

A Monetary Order is attached to this Decision and must be served on the Tenants. It is the Landlord's obligation to serve the Monetary Order on the Tenants. If the Tenants fail to comply with this order the Landlord may file the order in the Provincial Court (Small Claims) to be enforced as an order of that Court.

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

Conclusion

The parties agreed to settlement on final and binding terms.

The Landlord is issued an Order of Possession effective 1:00 P.M. on April 30, 2023.

The Landlord is issued a Monetary Order in the amount of \$15,219.00.

This Decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: April 21, 2023

Residential Tenancy Branch