



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNR-MT

Introduction

This hearing dealt with an Application for Dispute Resolution that was filed by the Tenant under the *Residential Tenancy Act* (the Act) on January 11, 2023, seeking:

- Cancellation of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (10 Day Notice); and
- An extension to the deadline set out under section 46(5) of the Act.

The hearing was convened by telephone conference call and was attended by the Tenant, a support person for the Tenant GR, and two agents for the Landlord AN and KB (Agents). All parties provided affirmed testimony.

Settlement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised on several occasions during the hearing that there is no obligation to resolve the dispute through settlement, but that pursuant to section 63 of the Act, I could assist the parties to reach an agreement, which would be documented in my decision and any supporting order(s).

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The parties agree that the tenancy will end at 1:00 pm on June 30, 2023.
2. The parties agree that the Tenant must pay rent in the amount of \$435.00 on June 1, 2023.
3. The parties agree that if the Tenant pays rent as set out above, and vacates the rental unit on or before June 30, 2023, without the need for a bailiff, the Landlord

will forgive the \$2,175.00 in outstanding rent owed by the Tenant for the period of January 1, 2023 – May 31, 2023.

4. The parties agree that if the Tenant does not pay rent as required on June 1, 2023, and does not vacate on time without the use of a bailiff, the Tenant will owe the Landlord \$2,610.00 in rent for the period of January 1, 2023 – June 30, 2023.
5. The parties agree that they will behave professionally and respectfully towards one another.
6. The parties agree that the Tenant will be provided with a replacement set of keys no later than midnight on May 9, 2023.

Conclusion

I order the parties to comply with the terms of the mutual settlement agreement described above. In support of the settlement described above, and with the agreement of the parties, I grant the following orders.

I grant the Landlord an order of possession for 1:00 pm on June 30, 2023. This order must be served on the Tenant as soon as possible. Should the Tenant fail to comply with this order, it may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

I grant the Landlord a \$2,610.00 conditional monetary order. This order may only be served on the Tenant as set out in the settlement agreement. Should the Tenant fail to comply with this order, it may be filed in the Small Claims 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 Act.

Dated: May 8, 2023

Residential Tenancy Branch