



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

A matter regarding SELECT REAL ESTATE PROPERTY  
MANAGEMENT and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC, AS, OLC

### Introduction

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear an application regarding the above-noted tenancy. The tenants applied for:

- cancellation of a One Month Notice to End Tenancy for Cause, pursuant to section 47;
- an order for the landlord to allow an assignment or sublet when permission was unreasonably denied, pursuant to section 65; and
- an order for the landlord to comply with the Act, the Residential Tenancy Regulation and/or tenancy agreement, pursuant to section 62.

Both parties attended the hearing. Tenant BC (the tenant) represented tenant DW (collectively, the tenants). The respondent was represented by SS (the landlord) All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

At the outset of the hearing all the parties were clearly informed of the Rules of Procedure, including Rule 6.10 about interruptions and inappropriate behaviour, and Rule 6.11, which prohibits the recording of a dispute resolution hearing. All the parties confirmed they understood the Rules of Procedure and section 95(3) of the Act.

### 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.

Both parties agreed to the following final and binding settlement of all issues listed in this application for dispute resolution:

1. The tenants agree to provide the landlord with vacant possession of the subject rental property on June 30, 2023 by 1:00 P.M.
2. The tenants will pay June 2023 rent in the amount of \$1,657.50 on June 1, 2023.
3. The landlord will serve the tenants all the utilities bills and a ledger via email to the tenants' email address recorded on the cover page of this decision by May 27, 2023. The tenants will pay the landlord 50% of the utilities arrears by June 01 and the remaining 50% by June 30, 2023.

### Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this 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 on June 30, 2023 by 1:00 P.M. 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 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: May 26, 2023

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Residential Tenancy Branch