



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNR, CNC, MNDCT, PSF, OLC / OPR-DR, MNR-DR

Introduction

The hearing was convened following applications for dispute resolution (“Applications”) from both parties, which were crossed to be heard simultaneously.

The Tenant seeks the following:

- an order canceling a 10 Day Notice to End Tenancy for Unpaid Rent (the “10 Day Notice”) pursuant to section 46(4)(b) of the *Residential Tenancy Act* (the “Act”);
- an order canceling a One Month Notice to End Tenancy for Cause (the “One Month Notice”) pursuant to section 47(4) of the Act;
- compensation for monetary loss under section 67 of the Act; and
- for the Landlord to provide services or facilities under section 62(3) of the Act.

The Landlord requests the following:

- an Order of Possession after issuing the 10 Day Notice under section 55(2)(b) of the Act; and
- a Monetary Order for unpaid rent and utilities under sections 26 and 67 of the Act;

Both parties attended the hearing. The parties affirmed to tell the truth during the hearing. Both parties were each given a full opportunity to be heard, to present affirmed testimony, to call witnesses, and make submissions.

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 Tenant will provide the Landlord with vacant possession of the rental unit by 1:00 P.M. on September 1, 2023.
- Both parties agreed that this settlement agreement constituted a final and binding resolution of both the Tenant's Application and 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 September 1, 2023.

The Landlord is provided with this Order in the above terms and must serve it on the Tenant in accordance with the Act. If the Tenant does 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.

As the parties have reached a settlement, I make no factual findings about the merits of either 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 September 1, 2023.

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 02, 2023

Residential Tenancy Branch