



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNR-MT, CNC, OLC

Introduction

The Tenant applied for dispute resolution (“Application”) and seeks an order cancelling 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”). They also seek an order cancelling a One Month Notice to End Tenancy for Cause (the “One Month Notice”) pursuant to section 47(4) of the Act and for the Landlords to comply with the Act, regulation or the tenancy agreement under section 62 of the Act.

Both Landlords and the Tenant 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.

As both parties were present, service was confirmed at the hearing. The parties each confirmed receipt of the Notice of Dispute Resolution Package (the “Materials”) and evidence. Based on their testimonies I find that each party was served with these materials as required under sections 88 and 89 of the Act.

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 Landlords with vacant possession of the rental unit by 1:00 P.M. on June 15, 2023.
- The Tenant is authorized to pay the sum of \$549.14 to the Landlords in full satisfaction of rent due June 1, 2023. This sum is equivalent to half a month's rent.
- Both parties agreed that this settlement agreement constituted a final and binding resolution of the Tenant'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 Landlords which is to take effect by 1:00 P.M. on June 15, 2023.

The Landlords are provided with this Order in the above terms and must serve it on the Tenants in accordance with the Act. If the Tenant does not comply with the Order of Possession, it may be filed by the Landlords 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 this Application.

Conclusion

The parties agreed to settlement on final and binding terms.

The Landlords are issued an Order of Possession effective 1:00 P.M. on June 15, 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 01, 2023

Residential Tenancy Branch