



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding Eightland properties
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, LRE

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 tenant applied for:

- cancellation of the One Month Notice to End Tenancy for Cause, pursuant to section 47; and
- an order to restrict or suspend the landlord's right of entry, under section 70.

Both parties attended the hearing. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

Preliminary Issue – Correction of the Landlord's Name

The application lists respondent landlord WK. Both parties agreed the respondent landlord is Eightland Properties INC., represented by WK.

Pursuant to section 64(3)(a) of the Act, I have amended the application to list respondent landlord Eightland Properties INC.

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 tenant agrees to provide the landlord with vacant possession of the subject rental property on June 30, 2023 by 1:00 pm.
2. The tenant will pay all the rent and utilities arrears of \$650.00 by June 21, 2023.

3. The parties will address the \$750.00 security deposit in accordance with section 38 of the Act.

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 pm. 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 fails to comply with this Order, this order may be filed and enforced as an order of the Supreme Court of British Columbia.

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 \$650.00. The monetary order for the June 21, 2023 payment may be enforced if the tenant defaults on the June 21, 2023 payment. If the tenant fails 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.

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: June 07, 2023

Residential Tenancy Branch