



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

Dispute Codes      CNC, DRI-ARI-C, PSF, 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 the One Month Notice to End Tenancy for Cause (the Notice), pursuant to section 47;
- an order to dispute a rent increase, pursuant to section 43;
- an order requiring the landlord to provide services or facilities as required by the tenancy agreement or the Act, pursuant to section 62; 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 AS represented all the tenants. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

### 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 between them relating to the tenancy:

1. The landlord will return the \$750.00 security deposit to the tenants by June 16, 2023 via electronic transfer to the tenants' email address recorded on the cover page of this decision.

2. The landlord is aware the tenants submitted an application in the British Columbia Human Rights Tribunal.
3. The parties will not submit any other claims related to this tenancy.

Both parties also agreed the tenancy ended on May 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 grant the tenants a monetary order in the amount of \$750.00. The monetary order for the June 16, 2023 payment may be enforced if the landlord defaults on the June 16, 2023 payment. If the landlord fails to comply with this order the tenants 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 05, 2023

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Residential Tenancy Branch