



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNR, OLC, CNC, MNDTCT, FFT

Introduction

A proceeding was conducted in response to the Tenant's applications:

- The April 27, 2023 application to dispute a 10 Day Notice to End Tenancy for Unpaid rent issued on April 25, 2023 (the 10 Day Notice).
- The May 6, 2023, application to dispute a One Month Notice to End Tenancy For Cause issued on April 25, 2023 (the One Month Notice).

At the proceeding the parties voluntarily agreed to settle the dispute and end the tenancy.

Settlement

Under section 63 of the Residential Tenancy Act, I order the following terms:

- The 10 Day Notice is cancelled.
- The One Month Notice is cancelled.
- The Tenant will move out of the rental unit by September 1, 2023 at 1:00 pm.
 - To enforce this term, the Landlord is awarded an order of possession which will be effective September 1, 2023 at 1:00 pm.
- While the tenancy continues, the Tenant will pay rent of \$2,600.00 on the first of each month, up to and including August 1, 2023, and the Tenant will pay 55% of utilities during the tenancy, when they receive the bill from the Landlord.
 - The Landlord will provide Fortis bills on a monthly basis and Hydro bills on a bi-monthly basis to the Tenant.
- The Tenant will pay \$3,300.00 to the Landlord on July 1, 2023, in full satisfaction of all arrears for utility bills owing up to July 1, 2023.
 - To enforce this term, I grant the Landlord a monetary order for \$3,300.00 which will be effective July 1, 2023.
- The Tenant may move out prior to September 1, 2023, provided that they give notice to the Landlord and pay rent as agreed between the parties.

Conclusion

I make the following orders to carry out the terms of the settlement agreement.

I grant the Landlord an order of possession effective September 1, 2023 at 1:00 pm. Should the Tenant fail to move out, the order of possession may be filed in the Supreme Court.

I grant the Landlord a monetary order in the amount of \$3,300.00. Should the Tenant fail to comply, this order may be filed in the Small Claims Division of the Provincial 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 28, 2023

Residential Tenancy Branch