



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

DECISION

Introduction

This hearing dealt with the Tenant's Applications for Dispute Resolution and the Landlord's Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for:

- Cancellation of the Landlord's 10 Day Notices to End Tenancy for Unpaid Rent (the 10 Day Notice) under sections 46 and 55 of the Act
- An order for compensation for the Tenant, pursuant to section 67
- An order of possession under a 10-Day Notice to End Tenancy for Unpaid Rent pursuant to sections 46 and 55
- An order of possession under a tenant's notice to end a tenancy, pursuant to sections 45 and 55
- A monetary order for unpaid rent and authorization to withhold a security deposit
- An order for damages for the Landlord, pursuant to section 67 and authorization to withhold a security deposit
- An order to be compensated for a monetary loss or other money owed and authorization to withhold a security deposit

At the outset of the hearing the parties indicated their intention to settle their dispute.

Analysis

Under section 63 of the Act, the 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 this hearing, the parties reached an agreement to settle their dispute.

Both parties agreed to the following terms of a final and binding resolution of the Tenant's applications and the Landlord's application and the issues in dispute arising out of this tenancy at this time and that they did so of their own free volition and without any element of coercion:

1. The Tenant will vacate the rental unit by September 30, 2023 or sooner.
2. The Tenant owes the Landlord \$3,900.00 in unpaid rent:
 - a. The Landlord is authorized to keep the Tenant's security deposit of \$650.00 as partial satisfaction for the unpaid rent; and
 - b. The Tenant will pay the Landlord \$3,250.00 for the remaining amount of unpaid rent by September 30, 2023.

Both parties agreed that these particulars comprise the full settlement of all aspects of the applications for dispute resolution.

Conclusion

In order to give effect to the settlement reached between the parties, and as discussed at the hearing, I grant an Order of Possession to the Landlord for September 30, 2023. Should the Tenant or any occupant on the premises fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

In order to give effect to the above settlement reached between the parties, I grant a Monetary Order in the Landlord's favour in the amount of \$3,250.00. The Landlord is provided with this Order and the Tenant must be served with a copy of this Order as soon as possible. Should the Tenant fail to comply with this Order, it may be filed in the Small Claims Division of the Provincial Court and 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: August 31, 2023

Residential Tenancy Branch