



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNR-MT, OPR-DR, MNR-DR, FFL

Introduction

This hearing dealt with the Tenant's Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") to cancel a 10-Day Notice for Unpaid Rent issued May 22, 2023, and June 2, 2023; and, the Landlord's application for

- an Order of Possession based on a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the 10 Day Notice) under sections 46 and 55 of the Act;
- a Monetary Order for unpaid rent under section 67 of the Act; and,
- authorization to recover the filing fee for this application from the Tenant under section 72 of the Act.

During 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 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 agreed to pay compensation to the Landlord in the amount of \$7,318.15 for unpaid rent as of July 1, 2023 and including rent for August 1, 2023.
2. The Tenant agreed to pay the compensation to the Landlord no later than close of business August 15, 2023, and if Tenant fails to agree to vacate the premises

upon service by the Landlord of a two-day Order of Possession, referenced below.

3. Both parties agreed that these particulars comprise the full settlement of all aspects of the Landlord's current application 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 effective **two (2) days after service of this Order** on the Tenant. 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 \$7,318.15. The Landlord is provided with these Orders and the Tenant must be served with a copy of these Orders as soon as possible. Should the Tenant fail to comply with these Orders, these Orders may be filed in the Small Claims Division of the Provincial Court and enforced as Orders 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 2, 2023

Residential Tenancy Branch