



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Introduction

This hearing dealt with the Tenant's and Landlord's Applications under the *Residential Tenancy Act* (the "Act").

The Tenant applied to cancel the Landlord's 10 Day Notice to End Tenancy for Unpaid Rent (10 Day Notice).

The Landlord applied for an Order of Possession based on a 10 Day Notice to End Tenancy for Unpaid Rent, a Monetary Order for unpaid rent, and to recover the filing fee for this application from the tenant.

At the outset of the hearing, the Landlord made an offer to settle the dispute which was accepted by the Tenant.

Analysis

Under section 63 of the Act, the Arbitrator may assist the parties to settle their dispute.

Both parties voluntarily agreed to the following terms of a final and binding settlement:

1. This tenancy will end on October 15, 2023, and the Tenant will move out of the rental unit by this date.
2. The Tenant owes \$500.00 in unpaid rent. The Landlord will retain the Tenant's security deposit of \$500.00 in full satisfaction of this debt.
3. The Landlord waives their right to collect rent from the Tenant for October 2023.
4. These terms are the full settlement of both parties current applications for dispute resolution.

Conclusion

To give effect to the settlement reached between the parties, I make the following orders:

- I grant an Order of Possession to the landlord effective **on October 15, 2023, after service of this Order** on the tenant. This Order may be filed and enforced as an Order of the Supreme Court of British Columbia. **The costs of this enforcement are recoverable from the tenant.**
- I Order that the Landlord retain the Tenant's security deposit of \$500.00 as full satisfaction of the unpaid rent arrears.
- I Order that the rent for October 2023 is \$0.00. The Tenant will not pay rent on October 1, 2023. The Landlord will not collect rent from the Tenant on October 1, 2023.

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: September 28, 2023

Residential Tenancy Branch