

DECISION

Introduction

This hearing was convened following applications for dispute resolution from both parties under the *Residential Tenancy Act* (the Act), where were heard simultaneously.

The Tenant requested the following:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent under sections 46 and 55 of the Act;
- cancellation of the landlord's One Month Notice to End Tenancy for Cause under section 47 of the Act;
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement under section 62 of the Act;
- authorization to recover the filing fee for this application from the landlord under section 72 of the Act.

The Landlord requested the following:

- An Order of Possession after issuing the 10 Day Notice under section 55(2) of the Act;
- Authorization to retain a security and/or pet damage deposit under section 72 of the Act;
- authorization to recover the filing fee for this application from the landlord under section 72 of the Act.

Settlement

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 resolution of the dispute resolution application:

1. The Tenant will deliver vacant possession of the rental unit to the Landlord by Thursday, November 30, 2023.
2. The Landlord will forgive the \$5,200 in unpaid rent for August and September.
3. Both parties retain the right to pursue claims under section 7 of the Act.

Conclusion

To give effect to the settlement, I grant an Order of Possession to the Landlord effective **on November 30, 2023, after service of this Order** on the tenant. Should the Tenant or anyone else at the rental unit fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

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 25, 2023

Residential Tenancy Branch