



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding 245 EAST GEORGIA HOLDINGS
LTD. and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, CNR, OLC, RP, FFT

Introduction

This hearing was scheduled to deal with two applications filed by the tenant that were joined together. The tenant applied for cancellation of a One Month Notice to End Tenancy for Cause and cancellation of a 10 Day Notice to End Tenancy for Unpaid Rent, among other remedies.

Both parties appeared and/or were represented at the hearing.

At the outset of the hearing, I confirmed the parties had exchanged their respective hearing materials upon each other by email. I heard that service by email had been agreed upon by the parties.

Shortly after the hearing commenced the tenant stated they intend to vacate the rental unit by November 30, 2023 and he acknowledged the landlord is owed unpaid rent and late fees. I was able to facilitate a mutual agreement between the parties to resolve this dispute and I have recorded their agreement by way of this decision and the orders that accompany it.

Issue(s) to be Decided

What are the terms of the mutual agreement?

Background and Evidence

During the hearing, the parties agreed to the following terms in resolution of this dispute:

1. The tenant shall return vacant possession of the rental unit to the landlord by 1:00 p.m. on November 30, 2023 and the landlord shall be provided with an Order of Possession reflecting such.
2. The tenant acknowledges the landlord is owed unpaid rent for the months of September 2023 and October 2023, plus late fees, totalling \$3650.00 which the tenant shall pay to the landlord on or before November 30, 2023.
3. The landlord shall be provided Monetary Order against the tenant in the amount of \$3650.00 and if the tenant fails to satisfy the Monetary Order by November 30, 2023 the landlord is at liberty pursue to the other co-tenant who was not a named party to this proceeding.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record the agreement in the form of a decision or order.

I have accepted and recorded the mutual agreement reached by the parties during this hearing and I make the term(s) an Order to be binding upon both parties.

In recognition of the mutual agreement, I provide the landlord with an Order of Possession effective at 1:00 p.m. on November 30, 2023. I also provide the landlord with a Monetary Order against the named tenant in the amount of \$3650.00.

Conclusion

The parties reached an agreement in resolution of this dispute that I have recorded by way of this decision and the orders that accompany it.

I provide the landlord with an Order of Possession effective at 1:00 p.m. on November 30, 2023. I also provide the landlord with a Monetary Order against the named tenant in the amount of \$3650.00. Should the tenant fail satisfy the Monetary Order by November 30, 2023, the landlord remains at liberty to make an Application for Dispute Resolution to seek a Monetary Order against the other co-tenant.

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: November 16, 2023

Residential Tenancy Branch