

## **DECISION**

### **Introduction**

This hearing dealt with the tenants' and landlords' Applications for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for:

The tenants' application is seeking the following:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent
- a Monetary Order for the cost of emergency repairs to the rental unit
- an Order to reduce rent for repairs, services or facilities agreed upon but not provided
- an Order for repairs to be made to the rental unit, site or property that the landlord was contacted in writing about but has not completed
- an Order for the landlord to provide services or facilities required by the tenancy agreement or law
- an Order to suspend or set conditions on the landlord's right to enter the rental unit or site
- an Order for authorization to change the locks to the rental unit
- an Order for the landlord to comply with the Act, regulation, and/or tenancy agreement

The landlords' application is seeking the following:

- An Order of Possession for the unpaid rent
- A Monetary Order of the unpaid rent
- A Monetary Order for compensation for monetary loss or other money owed
- An Order to retain the security and/or pet damage deposit for unpaid rent, monetary loss or other money owed
- An Order to be paid back the cost of the filing fee

I have amended the tenants' application to not include the following:

- a Monetary Order for compensation for monetary loss or other money owed

Tenant O.M.D.F. indicated that a hearing is already scheduled to deal with this claim. I have included the file number on the cover page.

Both parties attended the hearing. As both parties were present service was confirmed.

## **Preliminary Matters**

The tenants' application included B.D. as a tenant. Both the landlords and tenant O.M.D.F testified that tenant O.M.D.F. paid the full amount of the monthly rent directly to the landlords.

B.D. and O.M.D.F. confirmed that B.D. paid rent directly to O.M.D.F. I have amended the application to remove B.D. as a tenant.

## **Settlement Reached**

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 the hearing the parties discussed the issues between them, turned their minds to compromise and reached an agreement to settle their dispute with the following terms:

- Both parties agreed that the tenancy will end on November 14, 2023.
- Both parties agreed that there are to be no future claims relating to:
  - a Monetary Order for unpaid rent for September, October, and November 2023 rent
  - a Monetary Order for the cost of emergency repairs made to the rental unit
  - a Monetary Order to reduce rent for repairs, services or facilities agreed upon but not provided
  - an Order for repairs to be made to the rental unit, site or property that the landlord was contacted in writing about but has not completed
  - an Order for the landlord to provide services or facilities required by the tenancy agreement or law
  - an Order to suspend or set conditions on the landlord's right to enter the rental unit or site
  - an Order for authorization to change the locks to the rental unit
  - an Order for the landlord to comply with the Act, regulation, and/or tenancy agreement
  - An Order for the return of the security and/or pet damage deposit for unpaid rent, monetary loss or other money owed
  - An Order to be paid back the cost of the filing fee for this application

## **Conclusion**

To give effect to the settlement reached between the parties and as discussed at the hearing, I issue an Order of Possession to the landlords. The landlords are required to serve this Order of Possession upon the tenants and may enforce it as early as 1:00 p.m. on November 15, 2023, should the landlords be required to do so.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: November 15, 2023

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Residential Tenancy Branch