



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding 1395205 Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Introduction

This hearing was convened in response to applications by the tenants and the landlord.

The tenants' application is seeking orders as follows:

- to cancel a 10 Day Notice to End Tenancy for Unpaid Rent
- to recover the cost of filing this application

The landlords' application is seeking orders as follows:

- for an Order of Possession based on unpaid rent
- for a Monetary Order for unpaid rent
- to recover the cost of filing the application

Tenant B.M. and the landlord attended the hearing. As both parties were present, service was confirmed.

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 landlord will retain both deposits totalling \$1,200.00 and the balance of October and November 2023 rent totalling \$1,600.00 will be paid by the tenants on January 1, 2024;
- both parties agreed that this tenancy will end by 1:00 p.m. on December 4, 2023, by which time the tenants and any other occupant will have vacated the rental unit.

Conclusion

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 as early as 1:00 p.m. on December 4, 2023, after service of this Order on the tenants. Should the tenants 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.

To give effect to the above settlement reached between the parties, I grant a Monetary Order to the landlord in the amount of \$1,600.00.

The landlord is provided with these Orders and the tenants must be served with a copy of these Orders as soon as possible. Should the tenants 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: November 20, 2023

Residential Tenancy Branch