



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Introduction

This hearing was convened in response to applications by the landlords and the tenant.

The landlords' application is seeking the following:

- an Order of Possession for unpaid rent
- a Monetary Order for unpaid rent
- authorization to recover the filing fee for this application

The tenant's application is seeking the following:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice)

Both the landlords and tenant 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 tenancy will end on December 1, 2023, at 10:00 a.m.
- both parties agreed that the landlords will retain the tenant's security deposit in the amount of \$875.00
- both parties agreed that the tenant will pay the balance of October 31, 2023, rent in the amount of \$641.68 on December 1, 2023

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 tenant and may enforce it as early as 10:00 a.m. on December 1, 2023, should the landlords be required to do so. Should the tenant 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 settlement reached between the parties and as discussed at the hearing, I grant a Monetary Order in the landlords' favour in the amount of \$641.68. Should the tenant fail to comply with the agreed payment plan, the landlords must serve the Monetary Order to the tenant, and then the Order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order 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 30, 2023

Residential Tenancy Branch