



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNC, RP, LRE; OPR-DR, MNR-DR, FFL**

Introduction

This hearing dealt with an application by the tenant under the *Residential Tenancy Act* (the *Act*) for the following:

- Cancellation of One Month Notice to End Tenancy for Cause ("One Month Notice") pursuant to section 47;
- An order requiring the landlord to carry out repairs pursuant to section 32;
- An order to restrict or suspend the landlord's right of entry pursuant to section 70;

This hearing dealt with an application by the landlord under the *Residential Tenancy Act* (the *Act*) for the following:

- An Order of Possession under a 10-Day Notice to End Tenancy for Unpaid Rent and Utilities ("10 Day Notice") pursuant to sections 46 and 55;
- A monetary order for unpaid rent and for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* ("*Regulation*") or tenancy agreement pursuant to section 67 of the *Act*;
- An order requiring the tenant to reimburse the landlord for the filing fee pursuant to section 72.

Preliminary Issue

During the hearing, the landlord acknowledged receiving cash from the tenant for payment of rent without providing a receipt.

The landlord was warned of the provisions of section 26(2) of the *Act* which stated that a landlord must provide a tenant with a receipt for rent paid in cash.

The parties were informed of the RTB's Compliance and Enforcement Unit (CEU) which investigates allegations of repeated or serious and deliberate violations of the Act. The tenant may submit a complaint which may result in an investigation and fine.

Settlement

The parties reached a settlement.

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision or an Order.

This settlement agreement was reached in accordance with section 63 of the *Act*. Each party stated they understood and agreed to the terms of this settlement. The settlement was fully discussed by the parties in the hearing.

The parties agreed as follows:

1. The tenant will pay \$900.00 for outstanding rent to the landlord by December 20, 2023.
2. The landlord will maintain a tenant ledger and issue receipts for cash rent payments.
3. All claims by both parties are dismissed with leave to reapply.

Conclusion

The matter is settled on the above terms. 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: December 21, 2023

Residential Tenancy Branch