



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPR, MNRL-S, MNDCL-S, FFL  
CNR

### Introduction

This hearing was convened by way of conference call concerning applications made by the landlord as against 2 tenants, and by 1 tenant as against the landlord.

The landlord has applied for an order of possession and a monetary order for unpaid rent or utilities; a monetary order for money owed or compensation for damage or loss under the *Residential Tenancy Act*, regulation or tenancy agreement; an order permitting the landlord to keep all or part of the pet damage deposit or security deposit; and to recover the filing fee from the tenants for the cost of the application.

The tenant has applied for an order cancelling a notice to end the tenancy for unpaid rent or utilities.

The hearing was originally scheduled to convene at 9:30 a.m. on November 23, 2023 and I adjourned the hearing with the consent of the parties to December 6, 2023 and again to December 13, 2023. My Interim Decisions were provided to the parties after each scheduled date.

On December 13, 2023 the tenant and a co-landlord attended the hearing, during which the parties agreed to settle this dispute in the following terms:

1. The 10 Day Notice to End Tenancy For Unpaid Rent or Utilities is cancelled and the tenancy continues until it has ended in accordance with the law;
2. The landlord will have a monetary order in the amount of \$2,000.00.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

The tenants must be served with the order which may be filed in the Provincial Court of British Columbia, Small Claims division and enforced as an order of that Court.

Since the parties have settled this dispute, I decline to order that either party recover the filing fee from the other party.

As a result of the settlement agreement, I dismiss that landlord's application for an order of possession without leave to reapply. Further, I dismiss the landlord's application for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement; and for an order permitting the landlord to keep all or part of the security deposit or pet damage deposit, with leave to reapply. If rent remains unpaid, the landlord may serve another 10 Day Notice to End Tenancy For Unpaid Rent or Utilities.

### Conclusion

For the reasons set out above, and by consent, the 10 Day Notice to End Tenancy For Unpaid Rent or Utilities dated October 10, 2023 is hereby cancelled and the tenancy continues until it has ended in accordance with the law.

I hereby grant a monetary order in favour of the landlord as against the tenants pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$2,000.00.

The landlord's application for an order of possession is hereby dismissed without leave to reapply.

The balance of the landlord's application is hereby dismissed with leave to reapply.

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 13, 2023

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Residential Tenancy Branch