



## **DECISION**

### **Introduction**

This hearing dealt with the tenant's Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice) and an extension of the time limit to dispute the 10 Day Notice under sections 46 and 66 of the Act

It also dealt with the landlord's Application under the Act for:

- an Order of Possession based on a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the 10 Day Notice) under sections 46 and 55 of the Act
- a Monetary Order for unpaid rent under section 67 of the Act
- authorization to recover the filing fee for this application from the tenant under section 72 of the Act

The landlords and the tenant PB attended the hearing. At the outset of the hearing the parties indicated their intention to settle their dispute.

### **Settlement**

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 achieved the following resolution of their dispute with the following terms:

- The parties mutually agree to end the tenancy on December 31, 2023
- The tenants will pay the landlords \$19,134.00 representing unpaid rent owing up to and including December 31, 2023
- The tenants will make payments to the landlords of \$1,000.00 every second week as of December 8, 2023 until their debt is fully paid
- The tenants will not be responsible for any outstanding utilities charges in relation to the rental unit

The parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute. As the parties resolved matters by agreement, I make no findings of fact or law with respect to the application before me.

## **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 1:00pm on December 31, 2023 should the landlords be required to do so.

I also issue a Monetary Order to the landlords in the amount of \$19,134.00 This order should be served on the tenants and can be filed and enforced in Small Claims 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: December 1, 2023

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Residential Tenancy Branch