



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNC, OLC, FFT, MNDCL, FFL

Introduction

This proceeding dealt with applications that were filed by both parties and joined together by me when the hearing commenced on November 16, 2023. An Interim Decision was issued on November 16, 2023 and should be read in conjunction with this decision.

The tenant had applied for cancellation of a One Month Notice to End Tenancy for Cause and the landlords had applied for a Monetary Order for recovery of a deductible paid or payable to the strata due to a water leak that originated from the rental unit.

Both parties appeared for the hearings and were affirmed. Both parties had the opportunity to make relevant submissions and to respond to the submissions of the other party pursuant to the Rules of Procedure.

At the reconvened hearing, the parties turned their minds to reaching an agreement with respect to the ending of the tenancy. The parties were in agreement to end the tenancy shall effective at 1:00 p.m. on February 29, 2024.

The tenant also stated he was prepared to take responsibility to compensate the landlords for the \$25,000.00 insurance deductible the landlords have already paid, in part, and still owe to the strata corporation, plus their filing fee.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record the agreement in the form of a decision or order.

I have accepted and recorded the mutual agreement reached by the parties during this hearing and I make the term(s) the parties agreed upon an Order of mine to be binding upon both parties.

In recognition of the mutual agreement, I provide the landlords with an Order of Possession effective at 1:00 p.m. on February 29, 2024. I also provide the landlords with a Monetary Order in the sum of \$25,100.00.

Conclusion

The parties resolved their dispute by way of an agreement. In recognition of the mutual agreement, I provide the landlords with an Order of Possession effective at 1:00 p.m. on February 29, 2024. I also provide the landlords with a Monetary Order in the sum of \$25,100.00.

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: January 02, 2024

Residential Tenancy Branch