

## **DECISION**

### **Introduction**

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear crossed applications.

The Tenants' December 8, 2023 application (file number ending in 352) pursuant to the Act is for:

- Cancellation of the Landlord's 10 Day Notice to End Tenancy for Unpaid Rent (10 Day Notice) under sections 46 and 55 of the Act
- Cancellation of the Landlord's One Month Notice to End Tenancy for Cause (One Month Notice) under section 47 of the Act
- An order to allow access to or from the rental unit for the Tenant or the Tenant's guests under sections 30 and 62 of the Act
- An order for the Landlord to provide services or facilities required by law under section 27 of the Act
- An order to suspend or set conditions on the Landlord's right to enter the rental unit under section 70(1) of the Act
- Authorization to recover the filing fee for this application from the Landlord under section 72 of the Act

The Landlord's December 11, 2023 application (file number ending in 512) pursuant to the Act is for:

- An order of possession under a 10-Day Notice to End Tenancy for Unpaid Rent or Utilities (the 10 Day Notice) pursuant to sections 46 and 55;
- A monetary order for unpaid rent, pursuant to section 26;
- An order of possession under a Tenant's notice to end a tenancy, pursuant to sections 45 and 55;

### **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 this hearing, the parties reached an agreement to settle their dispute.

Both parties agreed to the following terms of a final and binding resolution of the Tenant's application and the issues in dispute arising out of this tenancy at this time and that they did so of their own free volition and without any element of coercion:

- This tenancy will end by 1:00 PM on February 15, 2024, by which time the Tenant agreed to have vacated the rental unit;
- The Tenant agreed to pay compensation to the Landlord in the amount of \$1,500.00 by February 15, 2024;
- These particulars comprise the full settlement of all aspects of both applications for dispute resolution.

## Conclusion

To give effect to the settlement reached between the parties, and as discussed at the hearing, I grant an Order of Possession to the Landlord effective **on February 15, 2024, at 1:00 PM, after service of this Order** on the Tenant. 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 above settlement reached between the parties, I also grant the Landlord a Monetary Order **in the amount of \$1,500.00** to be served to the Tenant as soon as possible. If the Tenant fails to make the payment as specified in the settlement agreement, these Orders may be filed in the Small Claims Division of the Provincial Court and enforced as Orders 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 Act.

Dated: January 11, 2024

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Residential Tenancy Branch