



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNR, OLC, OPR-DR, MNR-DR, FFL

Introduction

This hearing dealt with the Tenants' and Landlord's Applications for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for:

The Tenants applied 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
- an order requiring the Landlord to comply with the Act, regulation or tenancy agreement under section 62 of the Act

The Landlord applied for:

- an Order of Possession based on a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (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

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 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:

1. The Tenants and Landlord agreed that the tenancy will end at 1 pm on April 30, 2024, upon which time the Tenants will have vacated the rental unit.
2. The Tenants agreed to pay the Landlord \$1,800.00 in cash on February 16, 2024, for rent owing for January & February 2024 and to pay their rent in full and on time for March and April 2024.
3. The Landlord agreed to provide receipts for all rent paid in cash.
4. Both parties agreed that these particulars comprise the full settlement of all aspects of the Tenants' and Landlord's current applications for dispute resolution.

Conclusion

In order 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 **2 days, after service of this Order** on the Tenants. This Order **may only be served** on the Tenants **if the Tenants** do not honour the terms of this settlement. Should the Tenants 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.

In order to give further effect to the above settlement reached between the parties, I grant a Monetary Order in the Landlord's favour in the amount of \$1,800.00 for unpaid rent for January and February 2024. The Landlord is provided with this Order and the Tenants **must only be served** with a copy of this Order **if the Tenants fail** to honour the terms of this settlement. Should the Tenants fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order 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 *Residential Tenancy Act*.

Dated: February 16, 2024

Residential Tenancy Branch