



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

A matter regarding FORUM EQUITY PARTNERS  
and [tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes**      CNR-MT / OPR-DR, MNR-DR, FFL

### **Introduction**

The hearing was convened following applications for dispute resolution (Applications) from both parties under the *Residential Tenancy Act* (the Act), which were crossed to be heard simultaneously.

The Tenant requests the following:

- An order canceling a 10 Day Notice to End Tenancy for Unpaid Rent (the Notice) under section 46(4)(b) of the Act; and
- An extension of the timeframe to dispute the Notice under section 66 of the Act.

The Landlord requests the following:

- An Order of Possession based the Notice under section 55 of the Act;
- A Monetary Order for unpaid rent under sections 26 and 67 of the Act; and
- To recover the cost of the filing fee under section 72 of the Act.

The Tenant and their social worker attended the hearing. Three Agents attended the hearing for the Landlord.

### **Settlement**

Per section 63 of the Act, an 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 were able to reach a compromise and achieved a resolution of their dispute on mutually agreed terms.

Both parties agreed to the following final and binding settlement of all issues listed in the Applications:

- The Tenant will provide the Landlord with vacant possession of the rental unit by 1:00 PM on June 30, 2024.
- The Landlord will pay to the Tenant the sum of \$5,000.00 by April 1, 2024.
- The Landlord waives their right to recover the rental arrears of \$593.06 from the Tenant.
- The Landlord waives their right to collect from the Tenant the monthly rent of \$593.06 due under tenancy agreement on April 1, 2024, May 1, 2024 and June 1, 2024.
- Both parties agreed that this settlement agreement constituted a final and binding resolution of both Applications before me.

To give effect to the settlement reached between the parties and as discussed with them during the hearing, per section 63(2) of the Act, I issue an Order of Possession to the Landlord which is to take effect by 1:00 PM on June 30, 2024, and a Monetary Order for \$5,000.00 to the Tenant.

As the parties have reached a settlement, I make no factual findings about the merits of these Applications.

As I am not deciding on the matter before me, I dismiss without leave to reapply the Landlord's request for the Tenant to pay the filing fee for the Application.

### Conclusion

The parties agreed to settlement on final and binding terms.

The Landlord is issued an Order of Possession effective 1:00 PM on June 30, 2024. A copy of the Order of Possession is attached to this Decision and must be served on the Tenant. If the Tenant does not comply with the Order of Possession, it may be filed by the Landlord with the Supreme Court of British Columbia and enforced as an order of that court.

The Tenant is issued a Monetary Order requiring the Landlord to pay the Tenant \$5,000.00 by April 1, 2024. A copy of the Monetary Order is attached to this Decision and must be served on the Landlord. It is the Tenant's obligation to serve the Monetary

Order on the Landlord. The Monetary Order is enforceable in the Provincial Court of British Columbia (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 Act.

Dated: March 18, 2024

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Residential Tenancy Branch