

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 (10 Day Notice) under sections 46 and 55 of the Act

Settlement Agreement

Under section 63 of the Act, the Arbitrator assisted the parties to settle their dispute.

Both parties agreed to the following terms of a final and binding resolution of all issues arising out of this tenancy and that they did so of their own free will:

1. The Landlord will retain the Tenant's security deposit plus interest of \$29.86, totalling \$1,279.86 for unpaid rent.
2. The Tenant will pay \$400.00 to the Landlord by midnight on March 27, 2024.
3. The Tenant will pay \$850.00 to the Landlord by midnight on April 12, 2024.
4. The Tenant will vacate the rental unit by 1:00pm on April 15, 2024.

Conclusion

I order the Landlord to retain the Tenant's security deposit under section 72 of the Act.

I grant the Landlord a Monetary Order for \$1,250.00. The Landlord is provided with the Order and must serve a copy on the Tenant, along with a demand for payment of the balance owing, as part of the enforcement process if required.

Should the Tenant then fail to comply with the Monetary Order, it may be filed in the Small Claims Division of the Provincial Court and enforced as an Order of that Court.

To enforce the settlement, I grant the Landlord an Order of Possession effective one (1) day after service on the Tenant. The Landlord **may only serve** the Order of Possession on the Tenant if the Tenant fails to comply with term 2, 3, or 4 of the settlement agreement listed above.

Should the Tenant or anyone on the premises fail to comply with this Order of Possession, it may be filed and enforced as an Order of the Supreme Court of British Columbia.

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 26, 2024

Residential Tenancy Branch