



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

A matter regarding CORONET REALTY LTD  
and [tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes**      CNR, FFT / 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 cancelling a 10 Day Notice to End Tenancy for Unpaid Rent (the Notice) under section 46(4)(b) of the Act; and
- To recover the filing fee for their Application under section 72 of the Act.

The Landlord requests the following:

- An Order of Possession after issuing the Notice under section 55(2)(b) of the Act;
- A Monetary Order for unpaid rent under sections 26 and 67 of the Act; and
- To recover the filing fee for their Application under section 72 of the Act.

The Tenant and an Agent for the Landlord attended the hearing.

### **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 their Applications:

- The Tenant will provide the Landlord with vacant possession of the rental unit by 3:00 PM on May 15, 2024.
- The Tenant will pay the Landlord the sum of \$5,000.00 in satisfaction of rent due on March 15, 2024, and April 15, 2024.
- Neither party will make a future application for dispute resolution regarding the security deposit.
- 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 the Landlord the following:

- An Order of Possession which is to take effect by 3:00 PM on May 15, 2024; and
- A Monetary Order for \$5,000.00.

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

As I am not deciding on the matter before me, I dismiss without leave to reapply the parties' requests to recover the filing fees for their respective Applications from the other.

### Conclusion

The parties agreed to settlement on final and binding terms.

The Landlord is issued an Order of Possession effective 3:00 PM on May 15, 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 Landlord is issued a Monetary Order for \$5,000.00. A copy of the Monetary Order is attached to this Decision and must be served on the Tenant. It is the Landlord's

obligation to serve the Monetary Order on the Tenant. 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: April 26, 2024

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Residential Tenancy Branch