

DECISION

Introduction

This hearing dealt with the Tenant's Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for:

- an order requiring the Landlord to comply with the Act, regulation or tenancy agreement under section 62 of the Act
- authorization to recover the filing fee for this application from the Landlord under section 72 of the Act

This hearing also dealt with the Landlord's Cross Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") 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 hearing the parties indicated their intention to settle their dispute.

Analysis

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 Landlord's cross application and the issues in dispute arising out of this tenancy at this time and that they did so of their own free will and without any element of coercion:

1. The Landlord and the Tenant will provide their written request and consent to the Residential Tenancy Branch by May 10, 2024, to withdraw the Landlord's Application scheduled for 1:30 PM on June 17, 2024. The Landlord's Application File Number is referenced on the cover page of this decision;

2. The Tenant will pay the Landlord \$4,200.00 by email money transfer under the following payment schedule:
 - The Tenant will pay the Landlord \$700.00 by 6:00 PM on the fifteenth day of every month;
 - The first payment will begin on May 15, 2024, and continue until the \$4,200.00 Monetary Order is paid in full;
 - The Landlord's Email Address for Email Money Transfers is referenced on the cover page of this decision;
3. If the Tenant does not comply with the terms of this settlement agreement, the Landlord may file an application with the Residential Tenancy Branch.

Conclusion

In order to give effect to the above settlement reached between the parties, I grant a Monetary Order in the Landlord's favour in the amount of \$4,200.00. The Landlord is provided with this Order and the Tenant must be served with a copy of this Order as soon as possible. Should the Tenant 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 Act.

Dated: April 30, 2024

Residential Tenancy Branch