

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

This hearing also dealt with the Landlord's 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 (10 Day Notice) under sections 46 and 55 of the Act
- a Monetary Order for unpaid rent under section 55 of the Act
- authorization to recover the filing fee for this application from the Tenant under section 72 of the Act

Settlement Reached

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 the hearing, the parties discussed the issues between them, turned their minds to compromise and reached an agreement to settle their dispute with the following terms:

- both parties agreed the Tenant is owing February 2024 rent, March 2024 rent, April 2024 rent, and May 2024 rent for a total of \$18,400.00
- both parties agreed the Landlord will retain the Tenant's full security deposit of \$2,300.00 and this amount will go toward the arrears
- both parties agreed the Tenant will pay the Landlord the remaining rent amount owing of \$16,100.00 in equal payments of \$500.00 every 20th day of the month, commencing on June 20, 2024, the last payment amount will be \$100.00
- both parties agreed the tenancy will end on May 31, 2024, and the Tenant will vacate the rental unit by 1:00 p.m. on May 31, 2024

Conclusion

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 **on May 31, 2024, at 1:00 p.m., after service of this Order** on the Tenant. Should the Tenant 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.

To give effect to the above settlement reached between the parties, I grant a Monetary Order to the Landlord in the amount of \$16,100.00. The Landlord is provided with this Order and the Tenant must be served with a copy of this Order, following a breach of the terms outlined in the settlement. 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: May 14, 2024

Residential Tenancy Branch