



## **DECISION**

### **Introduction**

This hearing dealt with cross applications including:

The Tenant's April 15, 2024, 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
- authorization to recover the filing fee for this application from the Landlord under section 72 of the Act

The Landlord's April 22, 2024, 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 and/or utilities under section 67 of the Act
- authorization to recover the filing fee for this application from the Tenant under section 72 of the Act

The hearing was attended by the Tenant and their Advocate.

The hearing was also attended by the two Landlords.

All parties were given the opportunity to provide sworn testimony.

The Tenant stated that their legal last name has changed and that they are now known as I.F. The Landlords did not object and so I made the change to the Tenant's last name under RTB Rule of Procedure 7.7.

### **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 their respective applications and the issues in dispute arising out of this tenancy at this time and that they did so of their own free volition:

- 1) Both parties agreed that the Tenant's monthly rent will increase to \$1,100.00 from June 1, 2024, onward, to account for ongoing and historical costs related garbage collection and propane use at the residential property.
- 2) Both parties agreed that the April 11, 2024, 10 Day Notice to End Tenancy is cancelled and of no force or effect, and that this tenancy continues until it is ended in accordance with the Act.

## **Conclusion**

The parties agreed to settle and so I make no findings on the merits of either application.

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 21, 2024

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Residential Tenancy Branch