



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing

Page: 1

DECISION

Introduction

The Landlords and the Tenant filed cross-applications under the *Residential Tenancy Act* (the “Act”). Their applications were settled pursuant to subsection 63(1) of the Act (“Opportunity to settle dispute”) and section 64.2 of the Act (“Decision or order if parties resolve dispute by agreement”).

Settlement Agreement

The parties agreed to the following terms of settlement:

1. The tenancy shall end no later than July 31, 2024. However, the Tenant promises and guarantees that they will endeavour to vacate the rental unit on or about July 23, 2024. Weather (i.e., temperature) conditions preventing a flight departure on that date (which involves the aero transport of a service dog) is the only factor by which a departure after July 23 is permitted.
2. The Landlords are granted an order of possession, a copy of which must be provided to the Tenant.
3. The Landlords are authorized (under subsection 38(4)(b) of the Act) to retain the Tenant’s full security and pet damage deposits (totalling \$2,700.00) as payment for rent arrears for the month of June 2024. The Landlords may retain these deposits immediately upon receipt of this Decision.
4. The Tenant agrees to pay the rent of \$2,700.00, in full, for the month of July 2024, no later than July 19, 2024. The Landlords are granted a monetary order for this amount, a copy of which must be provided to the Tenant.
5. If the Tenant: (1) pays the full amount of \$2,700.00 by July 19, 2024, and (2) vacates the rental unit no later than July 23, 2024, the Landlords exercise the option to refund a portion of the rent on a pro rata basis for any or all days that the Tenant does not occupy the rental unit after they vacate.

6. The Landlords and the Tenant agree to waive any further claims for compensation against the other.
7. The Tenant agrees, with 100% assurance, to permit the Landlords to show the rental unit (with 24-hour notice, by text and/or voicemail and/or phone call) to prospective tenants.

This settlement comprises the full settlement of all disputes between the parties.

I again thank the parties for their flexibility and willingness to resolve this matter in this manner.

This decision is made on delegated authority under section 9.1(1) of the Act.

Dated: July 12, 2024

Residential Tenancy Branch