

DECISION

Introduction

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear linked applications.

The Tenant's June 29, 2024 Application for Dispute Resolution under the Act is for:

- Cancellation of the Landlord's One Month Notice to end tenancy for cause and an extension of the time limit to dispute the One Month Notice under sections 47 and 66 of the Act;
- An Order to dispute a rental increase, pursuant to section 43;
- An Order to restrict or suspend the Landlord's right of entry, under section 70;
- An Order requiring the Landlord to comply with the Act, regulation or tenancy agreement under section 62 of the Act;
- An authorization to recover the filing fee for this application, under section 72.

The Landlord's July 30, 2024 Application for Dispute Resolution under the Act is for:

- An Order of Possession under a 10-Day Notice to End Tenancy for Unpaid Rent or Utilities pursuant to sections 46 and 55;
- A Monetary Order for unpaid rent, pursuant to section 67;
- An authorization to retain all or a portion of the security deposit, under section 38;
- An authorization to recover the filing fee for this application, under section 72.

Settlement

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 both applications and the issues in dispute arising out of this tenancy at this time and that they did so of their own free volition and without any element of coercion:

- Both parties that the tenancy will end by October 31, 2024, at 1:00 PM;

- The Tenant authorizes the Landlord to retain \$600.00 out of the \$1,350.00 security deposit held by the Landlord, which settles all existing rental arrears as of the date of this hearing;
- For the remaining two months of this tenancy, September and October 2024, monthly rent shall be \$2,754.00;
- Both parties agreed that these particulars comprise the full settlement of all aspects of their current applications for dispute resolution.

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 October 31, 2024, at 1:00 PM, 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.

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: August 29, 2024

Residential Tenancy Branch