



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

Dispute Codes      CNR / CNR

### Introduction

The hearing was convened following applications for dispute resolution (Applications) from the Tenants which were joined to be heard simultaneously.

In their Applications, the Tenants seek an order cancelling two Notices to End Tenancy for Unpaid Rent (the Notices) under section 46(4)(b) of the Act.

### Settlement

Per section 63 of the Act, an arbitrator may assist the parties to settle their dispute. Section 64.2 of the Act states that 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 were able to reach a compromise and achieved a resolution of this dispute on mutually agreed terms.

Both parties agreed to the following final and binding settlement of all issues listed in the Applications:

- As of October 25, 2024, the Tenants owe the Landlord outstanding rent and utilities in the amount of \$5,538.22.
- The Tenants will pay off the \$5,538.22 arrears in four payments of \$1,384.55 to be made by no later than November 15, 2024, December 15, 2024, January 15, 2025 and February 15, 2025.

- The Tenants will continue to pay rent of \$2,587.50 when it is due on the first day of the month in addition to the payments for arrears on the fifteenth day of the month.
- Should the Tenants fail to pay either the rent or payments for arrears when they are due, the Landlord may issue a 10 Day Notice to End Tenancy for Unpaid Rent.
- The Landlord may also issue a 10 Day Notice to End Tenancy for Unpaid Rent under section 46(6) of the Act if the Tenants fail to pay utilities due under the tenancy agreement within 30 days of a written demand for payment.
- The tenancy will end on March 31, 2025, though the tenancy may be ended before this date under a Notice to End Tenancy issued by either party.
- If the tenancy continues until March 31, 2025, the Tenants may withhold the rent due on March 1, 2025.
- The Notices are cancelled, and the tenancy continues until ended on March 31, 2025, or until ended in accordance with the Act if applicable.
- The parties may serve one another records, orders, and documents, including Notices to End Tenancy using the email addresses on the front page of the Decision.

To give effect to the settlement reached between the parties and, as discussed with them during the hearing, per section 64.2 of the Act, I issue an Order of Possession to the Landlord which is to take effect by 1:00 PM on March 31, 2025, and a Monetary Order for \$5,538.22.

Parties are also reminded that a record sent by email is deemed received on the third day it is sent, per section 44 of the *Residential Tenancy Regulation*.

As the parties have reached a settlement, I make no factual findings about the merits of these Applications.

### Conclusion

The parties agreed to settlement on final and binding terms.

The Landlord is issued an Order of Possession effective 1:00 PM on March 31, 2025. A copy of the Order of Possession is attached to this Decision and must be served on the Tenants as soon as possible. If the Tenants do not comply with the Order of Possession, it may be filed by the Landlord with the Supreme Court of British Columbia and enforced as an order of that court.

The Landlord is also issued a Monetary Order for \$5,538.22. A copy of the Monetary Order is attached to this Decision and must be served on the Tenants as soon as possible. It is the Landlord's obligation to serve the Monetary Order on the Tenants. The Monetary Order is enforceable in the Provincial Court of British Columbia (Small Claims 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: October 25, 2024

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Residential Tenancy Branch