

DECISION

Introduction

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

The Landlord's November 28, 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 (the 10 Day Notice) pursuant to sections 46 and 55;
- A Monetary Order for unpaid rent, pursuant to section 67;
- An authorization to recover the filing fee for this application, under section 72.

The Tenant's October 24, 2024 Application for Dispute Resolution under the Act is for:

- A Monetary Order for compensation for damage or loss under the act, residential tenancy regulation (regulation) or tenancy agreement, pursuant to section 67;

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:

- The Landlord shall pay the Tenant compensation in the sum of \$4,000.00;
- Both parties agreed that these particulars comprise the full settlement of all aspects of their current applications for dispute resolution;
- In addition, both parties affirmed that the following issues have been conclusively dealt with as part of this settlement agreement:
 - Any unpaid rent throughout the tenancy;

- Any claims of physical injury for both sides from June 1, 2024, to the date of this settlement agreement;
- Both parties agree to cease and refrain from the pursuit of any police action or investigations pertaining to any disputes from June 1, 2024, to the date of this settlement agreement;
- All bailiff and legal costs associated with the Tenant's enforcement of the Order of Possession dated October 8, 2024;
- Any monetary losses incurred by the Tenant for their loss of access to the rental unit from June 1, 2024, to the date of this settlement agreement, including the loss of income and alternative accommodation costs;
- The security deposit has been conclusively dealt with as part of this settlement agreement.

Conclusion

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: January 10, 2025

Residential Tenancy Branch