

DECISION

Introduction

This hearing dealt with cross applications. The Tenant filed an 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) and an extension of the time limit to dispute the 10 Day Notice under sections 46 and 66 of the Act

The Landlords filed an Application for Dispute Resolution for:

- an Order of Possession for unpaid rent based on a 10 Day Notice issued under section 46 and 55 of the Act
- recovery of the filing fee paid from the Tenant under section 72 of the Act

During the hearing, I facilitated a mutual agreement between the parties in resolution of these applications. I have recorded their agreement by way of this decision and the orders that accompany it.

Terms of agreement

During the hearing, the parties mutually agreed to the following terms in resolution of their applications.

1. As of today's date, the Tenant owes the Landlords \$2,850.00 in rental arrears. The Landlords shall be provided a Monetary Order in this amount.
2. The tenancy shall end no later than May 1, 2025 conditional upon the Tenant satisfying the rental arrears of \$2,850.00 plus rent of \$1,600.00 for April 2025 by making the following payments to the Landlords:
 - a. \$1,650.00 on March 28, 2025
 - b. \$1,000.00 on April 11, 2025
 - c. \$1,000.00 on April 25, 2025
 - d. The remaining \$800.00 is satisfied by the Landlords retaining the Tenant's security deposit.
3. Should the Tenant fail to make any of the payments described in term 2 a., b., or c., in full and by the date specified, the Landlords may serve the Tenant with an Order of Possession effective three (3) days after service upon the Tenant.
4. The Landlords are provided an Order of Possession with an effective date of May 1, 2025 that may be served at any time and in any circumstance.

Analysis

Under section 63 of the Act, the Arbitrator may assist the parties to settle their dispute. Under section 64.2 of the Act, 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 disputes, and I make the terms of their agreement an order of mine to be binding upon both parties.

In recognition of the parties' agreement, I provide the Landlords with the following orders:

- **A Monetary Order in the amount of \$2,850.00**
- **An Order of Possession with an effective date of May 1, 2025**
- **An Oder of Possession that is effective three (3) days after service upon the Tenant. This Order of Possession may only be served and enforced if the Tenant fails to make the payments set out in term 2 a., b., or c. of their agreement.**

Conclusion

The parties reached an agreement in resolution of their applications that I have recorded by way of this decision and the orders that are provided to the Landlords.

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: March 19, 2025

Residential Tenancy Branch