

DECISION

Introduction

This hearing dealt with Applications for Dispute Resolution from both the Tenant and the Landlord under the *Residential Tenancy Act* (the Act). The Tenant's Application for Dispute Resolution, filed on June 23, 2025 (the Application), is for:

- Cancellation of the Landlord's One Month Notice to End Tenancy for Cause (One Month Notice) under section 47 of the Act
- A Monetary Order for compensation for damage or loss under the Act, regulation, or tenancy agreement under section 67 of the Act
- An order to allow the Tenant to reduce rent for repairs, services or facilities agreed upon but not provided, under sections 27 and 65 of the Act
- An order to allow access to or from the rental unit for the Tenant or the Tenant's guests under sections 30 and 62 of the Act
- An order to suspend or set conditions on the Landlord's right to enter the rental unit under section 70(1) of the Act
- An order requiring the Landlord to comply with the Act, regulation, or tenancy agreement under section 62 of the Act

The Landlord's Application for Dispute Resolution, filed on July 22, 2025 (the Cross Application), is for:

- An Order of Possession based on the One Month Notice under sections 47 and 55 of the Act
- Authorization to recover the filing fee for the Cross Application from the Tenant under section 72 of the Act

At the outset of the hearing, the parties indicated their intention to withdraw several of their claims as the Tenant had vacated the rental unit by August 2, 2025. The parties also indicated an intention to settle the remainder of the Tenant's Application.

Preliminary Matters

Withdrawal of Applications

As the Tenant had vacated the rental unit by August 2, 2025, the Tenant is no longer seeking cancellation of the One Month Notice, and the Landlord is no longer seeking an order of possession based on the One Month Notice. Some of the other orders sought by the Tenant are also no longer required because the tenancy has ended.

Rule 7.12 of the Residential Tenancy Branch (RTB) Rules of Procedure states that an application can be amended at the hearing only when the amendment can be reasonably anticipated or where the respondent consents to the amendment. The Tenant confirmed they were withdrawing the following claims at the outset of the hearing:

- Cancellation of the One Month Notice under section 47 of the Act
- An order to allow the Tenant to reduce rent for repairs, services or facilities agreed upon but not provided, under sections 27 and 65 of the Act
- An order to allow access to or from the rental unit for the Tenant or the Tenant's guests under sections 30 and 62 of the Act
- An order to suspend or set conditions on the Landlord's right to enter the rental unit under section 70(1) of the Act
- An order requiring the Landlord to comply with the Act, regulation, or tenancy agreement under section 62 of the Act

Correspondingly, the Landlord confirmed they wished to withdraw the following claim from the Cross Application:

- An Order of Possession based on the One Month Notice under sections 47 and 55 of the Act

Both parties consented to withdrawal of the above-listed issues. Therefore, I have amended the Application and the Cross Application in accordance with section 64(3)(c) of the Act to withdraw the claims listed above.

Analysis

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 the Application and the Cross Application. The below terms were arrived at by the parties of their own free volition and without any element of coercion:

1. The Landlord agrees to pay compensation of \$200.00 to the Tenant.
2. The above payment to the Tenant shall be made within three days of the date of this decision and shall be sent by e-Transfer to the Tenant's email address provided as an address for service in the tenancy agreement.
3. The RTB will refund the \$100.00 filing fee the Landlord paid for the Cross Application.

4. Both parties agreed that these terms comprise the full and final settlement of all aspects of the Tenant's Application and the Landlord's Cross Application.
5. The Landlord is not waiving any rights under the Act to claim compensation from the Tenant with regards to any other matters arising out of the tenancy.

Conclusion

To give effect to the above settlement reached between the parties, I grant a Monetary Order in the Tenant's favour in the amount of \$200.00. The Tenant is provided with this Order, and the Landlord must be served with a copy of this Order as soon as possible. Should the Tenant fail to comply with this Order, this Order may be filed and enforced 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: August 22, 2025

Residential Tenancy Branch