



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

AGREEMENT REACHED BETWEEN BOTH PARTIES

Dispute Codes

DRI, OPR, OLC, LAT

Introduction

This matter dealt with an application by the tenant to dispute an additional rent increase, for an Order to cancel a 10 Day Notice to End Tenancy for unpaid rent or utilities, for an Order for the landlord to comply with the *Residential Tenancy Act (Act)*, regulations or tenancy agreement, and for an Order to authorize the tenant to change the locks to the rental unit.

Many issues were discussed at the hearing including matters that had already been decided upon at the hearing held on October 04, 2016 between the parties. I informed the tenant that I could not change a decision that had already been made regarding the tenancy agreement and the amount of rent payable each month. Further heated discussions took place between the parties regarding both parties non-compliance with the *Act*, regulations and tenancy agreement; however, through the course of the hearing the tenant and the landlord came to an agreement in settlement of tenant's application.

The Parties did not require me to make a decision in this matter but required me to record the agreement they mutually reached.

This agreement is as follows:

- The parties agreed this tenancy will end on or before February 28, 2017.

- Both parties agreed that the fixed term tenancy agreement entered into on May 29, 2016 no longer has any force or effect as the landlord has rented rooms out to other tenants in this rental unit;
- The landlord agreed the tenant does not have to pay any rent for December, 2016 or for January and February, 2017;
- The tenant agreed that he will continue to pay the utilities at the rental unit including hydro, gas and half the water bills, until such a time as the tenant vacates the rental unit. At that time the tenant's name will be removed from all utility accounts;
- The parties agreed that the landlord will be issued with an Order of Possession effective on February 28, 2017. This Order will be served upon the tenant and enforced by the landlord if the tenant does not vacate the rental unit by midnight on that date;
- The landlord agreed to withdraw the 10 Day Notice to End Tenancy dated October 02, 2016;
- The tenant agreed to withdraw his application for dispute resolution.

Conclusion

This settlement agreement was reached in accordance with section 63 of the *Act*. The parties are bound by the terms of this agreement. Should either party violate the terms of this settled agreement, it is open to the other party to take steps under the *Act* to seek remedy.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: December 06, 2016

Residential Tenancy Branch

