



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding BRIGHTSIDE COMMUNITY HOMES  
FOUNDATION and [tenant name suppressed to protect privacy]

## **DECISION**

<u>Dispute Codes</u>	Landlord:	OPR MNR FF
	Tenant:	CNR FF

### Introduction

This hearing dealt with cross Applications for Dispute Resolution filed by the parties under the *Residential Tenancy Act* (the “*Act*”).

The Landlord’s Application for Dispute Resolution was made on July 17, 2019 (the “Landlord’s Application”). The Landlord applied for the following relief, pursuant to the *Act*:

- an order of possession for unpaid rent or utilities;
- a monetary order for unpaid rent or utilities; and
- an order granting recovery of the filing fee.

The Tenant’s Application for Dispute Resolution was made on June 26, 2019 (the “Tenant’s Application”). The Tenant applied for the following relief, pursuant to the *Act*:

- an order cancelling a notice to end tenancy for unpaid rent or utilities; and
- an order granting recovery of the filing fee.

The Landlord was represented at the hearing by A.F. and R.S., agents. The Tenant attended the hearing on his own behalf. All in attendance provided a solemn affirmation at the beginning of the hearing.

### Settlement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement, which would be documented in my Decision.

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The parties agree it is a term of the tenancy agreement that the Tenant must provide annual income information to the Landlord as part of an annual review of the Tenant's eligibility for a rent subsidy.
2. The parties agree the Tenant's income information must be provided to the Landlord by December 31 of each year, commencing in 2019.
3. The parties agreed the Tenant will additionally provide income information to the Landlord as part of a review of the Tenant's *past* eligibility for a rent subsidy by September 30, 2019.
4. The Landlord agrees to withdraw the 10 Day Notice as part of this settlement agreement.
5. The parties agree to withdraw their respective Applications as part of this settlement agreement.
6. The parties agree the Landlord is at liberty to issue a new notice to end tenancy and request a monetary order for unpaid rent dating back to June 1, 2019, if the Tenant does not provide income information as agreed above.

This settlement agreement was reached in accordance with section 63 of the *Act*. As the matter was resolved through negotiation, I decline to grant recovery of the filing fee to either party.

Conclusion

I order the parties to comply with the terms of the settled agreement described above.

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: August 20, 2019

---

Residential Tenancy Branch