



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding Menethil Properties Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR, FFT

Introduction

This hearing dealt with an application by the tenants pursuant to the Residential Tenancy Act (the “Act”) for the following orders:

1. cancellation of the 10-Day Notice to End Tenancy for Unpaid Rent (the 10-Day Notice”); and,
2. authorization to recover the filing fee for this application, pursuant to section 72.

BT (the “tenant”) and ML, agent for the landlord appeared at the hearing. Both parties were given full opportunity to be heard, to present their testimony and to make submissions. All parties confirmed they were not recording the hearing pursuant to Rule of Procedure 6.11

Background and Evidence

Pursuant to section 63 of the Act, the Arbitrator may assist the parties to settle their dispute and 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 the hearing the parties discussed the issues between them, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

1. This tenancy is ended by way of a mutual agreement and not pursuant to the 10-day Notice issued January 26, 2023.

2. The tenants will vacate the rental unit on or before April 30, 2023, not later than 1:00 p.m.
3. The tenants will pay the outstanding rent in the amount of \$4,992.50.
4. Both parties agreed that this settlement agreement constituted a final and binding resolution of the application before me today.

Conclusion

To give effect to the settlement reached between the parties and as discussed with them during the hearing, I issue an Order of Possession to the landlord, which is to take effect not later than 1:00 p.m. on April 30, 2023. Should the tenants fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

I issue a Monetary Order in the landlord's favour in the amount of \$4,992.50 against the tenants. The landlord is provided with a Monetary Order in the above terms and the tenants must be served with this Order as soon as possible. Should the tenants fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order of that 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 *Residential Tenancy Act*.

Dated: April 20, 2023

Residential Tenancy Branch