



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ALPHA VIEW HOMES
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

This hearing was convened by way of conference call on October 4, 2023, having been adjourned from September 28, 2023 to facilitate a possible settlement, concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for unpaid rent or utilities.

The tenant and an agent for the landlord attended the hearing on both scheduled dates.

At the conclusion of the hearing the parties agreed to settle this dispute in the following terms:

1. The landlord will have an order of possession effective at 1:00 p.m. on October 11, 2023 and the tenancy will end at that time;
2. The tenant will not be required to pay any rent for October, 2023;
3. The landlord will have a monetary order as against the tenant in the amount of \$18,200.00.

The parties agreed at the end of the hearing that this agreement was made on a voluntary basis and the parties understood the nature of this final settlement of this matter.

Therefore, I dismiss the tenant's application, and I make an order in the same terms as the settlement agreement.

I leave it to the parties to deal with the security deposit in accordance with Section 38 of the *Residential Tenancy Act*.

The tenant must be served with the order of possession, which may be enforced by filing the order of possession with the Supreme Court of British Columbia.

The tenant must also be served with the monetary order, which may be filed in the Provincial Court of British Columbia, Small Claims division and enforced as an order of that Court.

Conclusion

For the reasons set out above, and by consent, the tenant's application is hereby dismissed without leave to reapply.

I hereby grant an order of possession in favour of the landlord effective at 1:00 p.m. on October 11, 2023 and the tenancy will end at that time.

I also order that no rent will be payable by the tenant for the month of October, 2023.

I further grant a monetary order in favour of the landlord as against the tenant pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$18,200.00.

This order is final and binding and may be enforced.

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: October 04, 2023

Residential Tenancy Branch