

DECISION

Introduction

This hearing dealt with the Landlord's Application for Dispute Resolution (Application) under the *Residential Tenancy Act* (the Act) for:

- An Order of Possession based on a One Month Notice to End Tenancy for Cause (the Notice) under sections 47 and 55 of the Act; and
- Authorization to recover the filing fee for this Application from the Tenant under section 72 of the Act.

At the outset of the hearing the parties indicated their intention to settle this matter.

Settlement

Per section 63 of the Act, an 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 the hearing the parties confirmed they were able to reach a compromise and achieved a resolution of their dispute on mutually agreed terms. This written agreement had been drafted on October 18, 2023, and a copy was submitted into evidence to be formalised during the hearing.

Both parties agreed to final and binding settlement of all issues listed in the Application and for the tenancy to continue under the following terms:

1. Rent paid on time and in full on or before the 1st of each month.
2. Direct communication, either from the Tenant or their supports, with the Landlord's office before the fifteenth day of the month if the Tenant knows they will not have full rent paid on time, so payment plan options can be discussed. This means speaking directly with a staff member, or receiving an email confirmation, being advised that a payment plan is approved from:

Lauren Rego, Mgr. Tenant & Community Relations

lrego@greatervichousing.org

250-661-2123 (cell) or 250-384-3434 ext 35

Tashia Albus, Tenant & Community Relations Coordinator
tenantrelations@greatervichousing.org
250-384-3434 ext 7

3. Strict adherence to any agreed-upon payment plan dates.
4. Tenant availing themselves of all possible forms of financial assistance in order to ensure rent commitments are met, including, but not limited to:
 - a. Victoria Rent Bank: interest-free microloan program to assist tenants with unpaid rent and utilities. <https://communitycouncil.ca/rentbank/>
 - b. Rental Assistance Program: <https://www.bchousing.org/housing-assistance/rental-assistance-programs/RAP>
 - c. Burnside Gorge Family Services: <https://burnsidegorge.ca/family-programs/>
 - d. Other short term financial assistance program
 - e. Family and friends

As the parties have reached a settlement, I make no factual findings about the merits of this Application.

As I am not deciding on the matter before me, I dismiss without leave to reapply the Landlord's request for the Tenant to pay the filing fee for the Application.

Conclusion

The parties agreed to settlement on final and binding terms for the continuation of the tenancy.

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: October 20, 2023

Residential Tenancy Branch