



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

Dispute Codes      DRI, OLC / CNR, DRI, OLC

### Introduction

The hearing took place following two applications for dispute resolution (Applications) under the *Residential Tenancy Act* (the Act) by the Tenants which were joined to be heard simultaneously. The Tenants seek the following:

- An order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent under section 46(4)(b) of the Act;
- To dispute a rent increase under section 43 of the Act; and
- For the Landlord to comply with the Act, *Residential Tenancy Regulation* or the tenancy agreement under section 62 of the Act;

Both Tenants attended the hearing. An Agent for the Landlord attended the hearing for the Landlord.

### 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 were able to reach a compromise and achieved a resolution of their dispute on mutually agreed terms.

Both parties agreed to the following final and binding settlement of all issues listed in the Applications:

- The Tenants will provide the Landlord with vacant possession of the rental unit by 1:00 PM on October 31, 2023.

- The Landlord will restore wifi internet access to the Tenants immediately and the access will continue until 1:00 PM on October 31, 2023.
- The Landlord will allow the Tenants to use the laundry facility at the residential property on October 29, 2023.
- The Tenants reserve the right to make an application for monetary compensation for loss of quiet enjoyment against the Landlord.
- Both parties agreed that this settlement agreement constituted a final and binding resolution of the Tenants' Applications.

To give effect to the settlement reached between the parties and, as discussed with them during the hearing, per section 63(2) of the Act, I issue an Order of Possession to the Landlord which is to take effect by 1:00 P.M. on October 31, 2023.

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

### Conclusion

The parties agreed to settlement on final and binding terms.

The Landlord is issued an Order of Possession effective 1:00 PM on October 31, 2023. A copy of the Order of Possession is attached to this Decision and must be served on the Tenants. If the Tenants do not comply with the Order of Possession, it may be filed by the Landlord with the Supreme Court of British Columbia 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 Act.

Dated: October 26, 2023

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Residential Tenancy Branch