

DECISION

Introduction

This hearing was convened as a result of the parties' Applications for Dispute Resolution under the *Residential Tenancy Act* (the "Act").

The Tenants applied to dispute a 10 day notice to end tenancy for unpaid rent and/or utilities under section 46 of the Act.

The Landlord applied for:

- an Order of Possession of the rental unit based on a 10 day notice to end tenancy for unpaid rent and/or utilities under section 55 of the Act;
- an Order of Possession of the rental unit because the tenancy agreement is a fixed term tenancy in prescribed circumstances under section 55 of the Act;
- compensation of \$1,756.66 for unpaid rent and/or utilities under section 67 of the Act;
- compensation of \$4,150.00 for damage to the property under section 67 of the Act;
- compensation of \$1,200.00 for monetary loss or other money owed under section 67 of the Act; and
- authorization to recover the Landlord's filing fee from the Tenants under section 72(1) of the Act.

The Tenants and the Landlord attended this hearing and gave affirmed testimony.

Rental Unit Address and Parties' Names

The parties agreed that the rental unit is a room in a house. The Landlord confirmed that she goes by two different last names. Tenant AR confirmed the correct spelling of his first name. Based on the parties' testimonies and pursuant to section 64(3)(c) of the Act, I have amended the rental unit address and style of cause in the parties' applications accordingly.

Settlement

Pursuant to section 63 of the Act, an 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.

The parties agreed to a settlement of the issues under dispute in the parties' applications as follows:

1. This tenancy will end on July 31, 2024. The Tenants and any occupant will vacate the rental unit by 1:00 pm on July 31, 2024. The Landlord will be granted an Order of Possession effective 1:00 on July 31, 2024.
2. The Tenants will pay the Landlord \$3,100.00 (\$300.00 + \$1,400.00 + \$1,400.00) for rent owing up to and including July 31, 2024 in five weekly installments as follows:
 - a. \$650.00 due on July 15, 2024
 - b. \$650.00 due on July 22, 2024
 - c. \$650.00 due on July 29, 2024
 - d. \$650.00 due on August 5, 2024
 - e. \$500.00 due on August 12, 2024

The Landlord will be granted a Monetary Order reflecting these payments.

3. The Landlord's claims for unpaid utilities, damage to the property of \$4,150.00, and claim for monetary loss or other money owed of \$1,200.00 are severed and dismissed with leave to re-apply.

The parties gave verbal affirmation at the hearing that they understood and agreed to the above settlement as final, binding, and enforceable.

I take this opportunity to remind the parties that their rights and obligations under the Act, the regulations, and their tenancy agreement will continue for the duration of this tenancy. Pursuant to section 60 of the Act, either party may make claims related to the tenancy within two years of the date that the tenancy ends.

Conclusion

The parties have settled this matter as recorded above.

By consent of the parties:

- I grant the Landlord an Order of Possession which orders that the Tenants and any occupant provide vacant possession of the rental unit to the Landlord by **1:00 pm on July 31, 2024**. If the Tenants or any occupant does not vacate as agreed upon, this Order may be served on the Tenants, filed with the Supreme Court of British Columbia, and enforced as an order of that Court.
- I grant the Landlord a Monetary Order of **\$3,100.00**, payable in **weekly installments** starting on **July 15, 2024** as described in term 2 of the above settlement. If the Tenants do not make payment as agreed upon, this Order may

be served on the Tenants, filed with the Small Claims Division of the Provincial 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: July 4, 2024

Residential Tenancy Branch