

## **DECISION**

### **Introduction**

This hearing dealt with the Tenants' Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") to:

- dispute the 10 Day Notice to End Tenancy for Unpaid Rent (the "10-Day Notice")
- reduction in rent for repairs

The Landlord filed a subsequent Application for an Order of Possession of the Rental unit based on the 10-Day Notice, recovery of rent amounts, and recovery of their Application filing fee.

The Landlord and The Tenant both attended the scheduled hearing. At the outset of the hearing, the Landlord presented they did not receive Notice of Dispute Resolution Proceeding from the Tenant. The Tenant confirmed they received the Landlord's Notice of Dispute Resolution Proceeding and evidence served to them.

Under s. 63 of the *Act*, an arbitrator may assist the parties to settle their dispute. If the parties settled their dispute in the proceedings, the agreement may be recorded in the form of a decision or order. I facilitated a discussion on the issue of rent amounts owed to the Landlord by the Tenant.

Both parties agreed to the following terms of a final and binding resolution of the Tenant's Application, and the issues arising from this tenancy:

1. Both parties agreed that the Tenant will move out from the rental unit by April 30, 2025, at 1:00pm. To give effect to this settlement, I grant an Order of Possession to the Landlord.
2. The Tenant will pay the rent amount of \$9,650 for past amounts owing and April 2025 rent at \$2,500. This total is \$12,150. To give effect to this agreement and as a measure of surety to the Landlord, I issue a monetary order to the Landlord should they need to serve it to the Tenant for recovery of this amount.

3. The Landlord agreed to waive recovery of the Application filing fee – I have withdrawn this issue through amendments of the Landlord's Application.
4. The Tenants agreed to withdraw the issue of rent reduction for some work they completed within the rental unit. I have withdrawn this issue through amendment of the Tenants' Application.
5. Both parties agreed that these particulars comprise the full settlement of all aspects of the Tenants' Application for dispute resolution. The Tenants agreed that they had no cause for further dispute resolution through a separate Application to the Residential Tenancy Branch against the Landlord.

## **Conclusion**

To give effect to the settlement reached between the parties, I grant an Order of Possession to the Landlord effective on April 30, 2025, 1:00pm, after the Landlord's service of this Order of Possession on the Tenants. Should the Tenant or any occupant on the premises not comply with this Order of Possession, the Landlord may file this Order of Possession with the Supreme Court of British Columbia, where it will be enforced as an Order of that Court.

I provide the Landlord with the Monetary Order for \$12,150 and the Landlord must serve it to the Tenant as soon as possible. Should the Tenant fail to comply with this Monetary Order, the Landlord may file this Monetary Order in the Small Claims Division of the Provincial Court where it will be enforced as an Order of that Court.

I make this decision on the authority delegated to me by the Director of the Residential Tenancy Branch under s. 9.1(1) of the *Act*.

Dated: April 14, 2025

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Residential Tenancy Branch