



# **Dispute Resolution Services**

Residential Tenancy Branch  
Office of Housing and Construction Standards  
Ministry of Housing and Social Development

## **DECISION**

**Dispute Codes:** OPC, CNC, MNDC, MNSD and FF

### **Introduction**

These applications were brought by both the landlord and the tenants.

By application of March 20, 2009, the landlord sought an Order of Possession pursuant to a 30-day Notice to End Tenancy for cause served in person on February 16, 2009.

The landlord also sought a Monetary Order for damage to the rental unit and common property, losses or damages, recovery of the filing fee and authorization to retain the security deposit in set off.

By application of February 20, 2009, the tenants sought to have set aside the Notice to End Tenancy of February 16, 2009.

As a matter of note, the female tenant gave evidence that the male tenant no longer resides at the rental unit and is the subject of a Restraining Order with respect to the female tenant.

**Settlement**

During the hearing, the parties arrived at the following consent agreement:

1. The tenant agrees to vacate the rental unit by 1 p.m. on Saturday, April 18, 2009;
2. Provided the tenant vacates as promised, the landlord agrees to return the tenants' security deposit to assist her in finding a new residence, and;
3. The landlord withdraws all monetary claims.

**Conclusion**

In order to perfect this consent agreement, the landlord's copy of this decision is accompanied by an Order of Possession, enforceable through the Supreme Court of British Columbia, for service on the tenant.

The parties are commended for their consideration of one another and the dispute resolution process in crafting this settlement.

April 15, 2009

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Dispute Resolution Officer