

DECISION

Dispute Codes: CNL, MNDC, MNSD, OLC, FF

This hearing dealt with an application by the tenants 1) to cancel a notice to end tenancy, 2) for a monetary order for compensation under the *Act* and the amount of the security deposit and applicable accrued interest and 3) for the landlord to comply with the *Act*.

During the hearing, the tenants withdrew their application for a monetary order for compensation under the *Act* and for the landlords to comply with the *Act*.

Section 38 of the *Residential Tenancy Act* requires that 15 days after the later of the end of tenancy and the tenant providing the landlord with a written forwarding address, the landlord must repay the security deposit or make an application for dispute resolution. In this case, the tenants said that they have not yet moved out from the rental unit. I therefore dismiss their application for a monetary order for the security deposit and applicable accrued interest with leave to re-apply.

During the hearing, both parties reached an agreement to settle on the tenants' application to cancel a notice to end tenancy, on the following conditions: 1) the tenants will move out of the unit on July 31, 2009 and 2) the tenants will deduct \$25.00 from the July rent.

Pursuant to the above agreement, I hereby grant the landlords an order of possession, effective July 31, 2009. If the landlords serve the order of possession on the tenants and the tenants fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

Dated June 25, 2009.