

Dispute Codes OLC ERP RP RPP FF

AGREEMENT

This hearing dealt with an application by the Tenant to obtain an order to have the Landlord comply with the Act, make emergency repairs, make repairs to the unit, and to recover the filing fee from the Landlord for this application.

During the course of the hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. The Tenant will withdraw her application; and
2. Based on a mutual agreement to end the tenancy the Tenant will vacate the rental unit no later than November 30, 2009 at 1:00 p.m.; and
3. The Tenant will clean the rental and will ensure the rental unit is of the same condition as it was at the beginning of the tenancy; and
4. The Tenant agrees to attend a move out inspection prior to November 30, 2009 at 1:00 p.m. at a mutually agreed upon time;
5. The Tenant agrees the portable heater supplied by the Landlord is the Landlord's property and the Tenant will leave said heater in the rental unit; and
6. The Landlord will ensure his cheque # 036, issued to the Tenant on November 1, 2009, in the amount of \$900.00 will clear the bank with sufficient funds; and
7. The Landlord agrees to refund the Tenant her full security deposit, in the amount of \$450.00 plus interest of \$0.00 on November 30, 2009 at 1:00 p.m. after the move out inspection and the Landlord has confirmed there was no damage to the rental unit and the rental unit has been cleaned.

I hereby grant the Landlord an order of possession, effective November 30, 2009. If the Landlord serves the order of possession on the Tenant and the Tenant fails to comply

with this agreement or Order, the Order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

The Tenant has been issued a Monetary Order in the amount of \$450.00 and may serve the Landlord with this Order if the Landlord fails to comply with the agreement to refund the Tenant's security deposit on November 30, 2009, after completion of a move-out inspection as documented above.

As the parties were able to settle the matter, I decline to award the Tenant recovery of the filing fee for the cost of this application.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: November 05, 2009.

Dispute Resolution Officer