

Decision

Dispute Codes: OPC, CNC, CNL, MNDC, FF

Introduction

This hearing dealt with two applications: 1) by the landlords for an order of possession; 2) by the tenant for cancellation of notice(s) to end tenancy, a monetary order as compensation for damage or loss under the Act, regulation or tenancy agreement, and recovery of the filing fee. Both parties participated in the hearing and gave affirmed testimony.

Issues to be decided

- Whether either party is entitled to any of the above under the Act, regulation or tenancy agreement

Background and Evidence

Pursuant to a written tenancy agreement, the 1 year fixed term of tenancy is from May 1, 2010 to April 30, 2011. Monthly rent is \$1,600.00, and a security deposit of \$800.00 was collected on or about April 5, 2010. The tenancy agreement names only 3 persons as tenants, although there are presently 4 tenants residing in the unit.

The landlords issued a 2 month notice to end tenancy for landlord's use of property dated April 20, 2010. Subsequently, the landlords issued a 1 month notice to end tenancy for cause dated May 12, 2010. During the hearing the parties exchanged views on circumstances surrounding the dispute and undertook to achieve a resolution.

Analysis

The full text of the Act, regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: www.rto.gov.bc.ca/

Section 63 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution. Specifically, it was agreed as follows:

- that the landlords withdraw the current application for an order of possession;
- that the parties will arrange to meet with each other before midnight, Wednesday, June 30, 2010, in order to
 - i) amend the existing tenancy agreement to show the names of all 4 tenants currently residing in the unit;
 - ii) amend the existing tenancy agreement to show a rent increase of \$200.00 to \$1,800.00 per month;
 - iii) amend the existing tenancy agreement to show an end date to tenancy of October 31, 2010;
 - iv) provide the landlords with copies of legal identification for all 4 tenants;
- that the above particulars comprise full and final settlement of all aspects of the dispute arising from this tenancy, which are currently before me, for both parties.

Conclusion

The dispute between the parties is hereby settled, pursuant to the agreement reached between the parties during the hearing, as set out above.

DATE: June 22, 2010

Dispute Resolution Officer