

DECISION

Dispute Codes: **Landlord:** OPC and FF
 Tenants: CNCand FF

Introduction

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

By application of June 17, 2010, the landlord seeks an Order of Possession pursuant to a one-month Notice to End Tenancy for cause served on May 13, 2010 and recovery of his filing fee for this proceeding.

By earlier application of May 14, 2009, the tenants seek to have the same Notice to End Tenancy set aside and to recover their filing fee.

Issues to be Decided

These applications require a decision on whether the Notice to End Tenancy of May 13, 2010 should be set aside or upheld with an Order of Possession.

Background and Evidence

This tenancy began on March 4, 2007. Rent is \$1,400 per month and the landlord holds a security deposit of \$700 and oil tank deposit of \$700k paid on March 4, 2007 and a pet damage deposit of \$700 paid May 11, 2010.

Consent Agreement

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

1. The tenants agree to make repairs to items in the rental unit damaged by their pet dog;
2. The tenants agree to vacate the rental unit by August 31, 2010 and that the landlord shall have an Order of Possession effective on that date;
3. The tenants pledge to cooperate with the landlord in every reasonable way to assist him in finding new tenants.

Conclusion

The landlord's copy of this Decision is accompanied by an Order of Possession, enforceable through the Supreme Court of British Columbia, effective at 1 p.m. on August 31, 2010.

The parties remain at liberty to make application for any damage or losses as may be ascertained at the end of the tenancy.

July 2, 2010