



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, CNR, CNC, OLC, RP

Introduction

This hearing dealt with cross Applications for Dispute Resolution. The landlord applied for an order of possession and the tenant applied to cancel two notices to end tenancy and for an order to have the landlord comply with the *Residential Tenancy Act (Act)*, regulation or tenancy agreement and to make repairs to the rental unit.

The hearing was conducted via teleconference and was attended by the landlords and the tenant.

The landlords' application did not include an application for compensation for any unpaid rent amounts. The tenant's application did not include an application for compensation for any damage to their personal property.

Issues(s) to be Decided

The issues to be decided are whether the landlord is entitled to an order of possession for unpaid rent and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to sections 46, 55, 67, and 72 of the *Act*.

In addition it must be decided are whether the tenant is entitled to cancel a 10 Day Notice to End Tenancy for Unpaid Rent; to cancel a 1 Month Notice to End Tenancy for Cause; for an order to have the landlord make repairs; for an order to have the landlord comply with the *Act*, regulation or tenancy agreement, pursuant to sections 32, 46, 47, 55, 67, and 72 of the *Act*.

Background and Evidence

During the hearing the parties reached the following settlement agreement:

1. The tenant agrees to vacate the rental unit by September 15, 2010;
2. The tenant agrees to withdraw her current application;
3. The landlord agrees to withdraw their current application; and
4. An order of possession is granted for September 15, 2010.

Conclusion

In support of the above noted settlement agreement I grant the landlord an Order of Possession effective **September 15, 2010 after service on the tenant**. This order must be served on the tenant and may be filed in the Supreme Court and enforced as an order of that Court.

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: August 27, 2010.

Dispute Resolution Officer