



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPC, CNC, MNSD, MNDC, OPT, AAT, LAT, RR, O, FF

Introduction

This hearing dealt with cross Applications for Dispute Resolution. The landlord sought an order of possession and a monetary order. The tenant sought to cancel a notice to end tenancy, an order of possession and an order to change the locks, allow access, and reduce rent and for money owed or compensation.

Issues(s) to be Decided

The issues to be decided are whether the landlord is entitled to an order of possession for unpaid rent; to a monetary order for unpaid rent; for all or part of the security deposit and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to sections 38, 47, 55, 67, and 72 of the *Residential Tenancy Act (Act)*.

In addition it must be decided if the tenant is entitled to an order of possession for; to a monetary order for compensation; for an order to change the locks; for an order to provide access to the unit; to reduce rent for services not provided, pursuant to sections 25, 30, 64, 67, and 72 of the *Act*.

Background and Evidence

During the hearing the parties came to following settlement agreement:

1. Both parties withdraw their Applications for Dispute Resolution;
2. The landlord will return the cheques provided by the Ministry of Housing and Social Development and the Local Community Services Society for September 2010 rent;
3. The landlord will retain \$150.00 from the security deposit for rent owed for June, July, and August 2010;
4. The tenant agrees to vacate the rental unit by 4:00 p.m. on September 5, 2010;
5. The parties agree to meet to complete a Condition Inspection Report and determine the outcome of the balance of the security deposit (\$125.00); and
6. The parties agree to the issuance of an Order of Possession to support this agreement.

Conclusion

In support of the above settlement agreement I grant the landlord an Order of Possession effective **September 5, 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 31, 2010.

Dispute Resolution Officer