



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes CNC, FF, MND, MNDC, MNSD, OPB, OPC

Introduction

This decision deals with two applications for dispute resolution, one brought by the tenant and one brought by the landlords. Both files were heard together.

The tenant's application is a request to cancel a Notice to End Tenancy.

The landlord's application is a request for an Order of Possession based on a Notice to End Tenancy and a request for a monetary order for damages.

First of all it is my decision that I will not deal with all the issues that the landlord has put on her application. For claims to be combined on an application they must related.

Not all the claims on the landlord's application are sufficiently related to be dealt with together.

I therefore will deal with the request for an Order of Possession and I dismiss the remaining monetary damages claim with liberty to re-apply.

Mutual agreement

At the hearing the landlord and the tenants came to the following agreement:

- Rather than have me make a finding on either of their applications, they have agreed to end this tenancy on January 11, 2011, by mutual agreement, and the tenants will vacate on or before that date.



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Conclusion

In lieu of the above agreement I make no finding on the merits of either of the applications, and I have issued an Order of Possession for the agreed upon date of January the 11th 2011.

As stated earlier the monetary portion of the landlord's application is dismissed with leave to reapply.

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: December 09, 2010.

Dispute Resolution Officer