



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes

Landlord: OPC, MNR, MNSD, MNDC
Tenant: MT, CNC, MNDC, OLC, O

Introduction

This hearing was convened by way of conference call to deal with applications filed by the landlords and by the tenant. The landlords have applied for an Order of Possession for cause; for a monetary order for unpaid rent or utilities; for an order permitting the landlords to retain the security deposit in partial satisfaction of the claim; and for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement.

The tenant has applied for an order permitting him more time to make an application to cancel a notice to end tenancy; for an order cancelling a notice to end tenancy for cause; for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement; and for an order that the landlord comply with the *Act*, regulation or tenancy agreement.

During the course of the hearing, the parties agreed to settle this dispute on the following conditions:

1. The landlords will have an Order of Possession effective February 28, 2011 at 1:00 p.m.;
2. The tenant will pay rent for the month of February, 2011 in the amount of \$245.90, being the monthly rent amount of \$425.00 less \$179.10 which represents the overpayments of previous rental payments made by the tenant;
3. The landlords will comply with the *Residential Tenancy Act*, by giving the tenant a minimum of 24 hours written notice before entering the rental unit and by ensuring that the heat and hot water are available to the tenant;
4. The tenant will remove the picture or blockade by the door;
5. The landlords will comply with Section 38 of the *Residential Tenancy Act* as it relates to the security deposit currently held in trust by the landlords.

Conclusion

As the parties were able to settle this dispute on those conditions, I hereby grant an order of Possession in favour of the landlords effective February 28, 2011 at 1:00 p.m. If the landlord serves the Order of Possession on the tenant and the tenant fails to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

I further order that the tenant pay \$245.90 for rent for the month of February, 2011.

I further order that the landlords comply with the *Residential Tenancy Act* by giving the tenant a minimum of 24 hours written notice before entering the rental unit and by ensuring that the heat and hot water are available to the tenant until the end of the tenancy.

I further order the tenant to remove the picture or blockade by the door.

I further order the landlords to comply with Section 38 of the *Residential Tenancy Act* as it relates to the security deposit currently held in trust by the landlords.

Since the parties were able to settle this dispute, I decline to order that either party recover a filing fee from the other party.

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: January 24, 2011.

Residential Tenancy Branch