



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes CNC FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants to cancel a notice to end tenancy issued for cause and to recover the cost of the filing fee.

Issue(s) to be Decided

1. Has the Notice to End Tenancy been issued in accordance with the Act?
2. Have the Tenants paid a filing fee for this application?

Background and Evidence

During the course of the hearing the parties reached an agreement to settle these matters.

Analysis

The parties have agreed to settle these matters on the following conditions:

- 1) The Tenants agree to withdraw their application in favour of this agreement; and
- 2) The parties mutually agree to end this tenancy effective March 31, 2011 at 1:00 p.m.; and
- 3) The parties agree to attend a move-out inspection and complete and sign the move-out inspection report at 1:00 p.m. on March 31, 2011; and
- 4) The Landlord agrees to return the April 2011 rent to the Ministry responsible for paying the Tenants' rent; and
- 5) The Landlord agrees to disburse the \$375.00 security deposit and the \$200.00 pet deposit in accordance with Section 38 of the *Residential Tenancy Act*.

- 6) The Landlord will not automatically deduct the cost of carpet cleaning and carpet deodorizing from the Tenants' security deposit as written in the tenancy agreement, as the Landlord has been made aware that this is a contravention of the Act, pursuant to Section 20(e) of the Act.

In favour of this settlement agreement the Landlord will be issued an Order of Possession effective March 31, 2011, at 1:00 p.m.

Conclusion

The Landlords' decision will be accompanied by an Order of Possession, effective March 31, 2011 at 1:00 p.m.

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: March 23, 2011.

Residential Tenancy Branch