



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNR, FF

Introduction

This hearing was convened by way of conference call to deal with the tenants' application for more time to apply to cancel a notice to end tenancy, for an order cancelling a notice to end tenancy for unpaid rent or utilities, and to recover the filing fee from the landlord for the cost of this application.

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

1. The landlord will not collect rent for the month of April, 2011 due to the tenants' loss of full use of the rental unit caused by flooding;
2. The tenants will be reimbursed the amount of \$355.00 for repairs they made to the rental unit by way of rent reduction for the month of May, 2011;
3. The tenants will pay to the landlord \$750.00 on June 9, 2011 which represents the rent for the month of June, 2011;
4. The tenants will also pay to the landlord \$515.00 on June 23, 2011, which represents \$120.00 of rental arrears for February and March 2011 and \$395.00 for the balance of rent for the month of May, 2011;
5. The tenants will pay rent for the month of July, 2011 on July 1, 2011;
6. The landlord will have an Order of Possession. If the tenants fail to make any of the payments listed above by the dates specified, the landlord will be at liberty to serve the Order of Possession on the tenants and the tenancy will end;
7. The landlord will not serve the Order of Possession on the tenants unless the tenants fail to abide by the payment schedule above.

I hereby grant an Order of Possession in favour of the landlord on 2 days notice to the tenant. If the landlord serves the Order of Possession on the tenants and the tenants fail 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.

Since the parties have settled this dispute, I decline to award the filing fee for the cost of this application.

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: June 08, 2011.

Residential Tenancy Branch