



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

This hearing dealt with an application by the landlord for an order of possession for unpaid rent, a monetary order for unpaid rent, money owed or compensation for damage or loss and recovery of the filing fee. Both parties participated in the conference call hearing.

Issue(s) to be Decided

Is the landlord entitled to any of the above under the Act.

Background and Evidence

Matters related to this tenancy were heard June 7, 2011 under file 772928. In this hearing the Dispute Resolution Officer dismissed the landlord's application with leave to reapply as the landlord did not provide evidence and the tenant submitted evidence stating that the applicant was not the registered owner and that the registered owner has confirmed payment in full of rent and the security deposit.

The Dispute Resolution Officer also noted that the Landlord did not sufficiently understand English and should have someone attend to assist him with English in the future if he chooses to file an application.

In today's hearing neither party had submitted evidence or was adequately prepared to have the matter heard. It was apparent however that the relationship between the parties has become very strained as the tenant has supposedly been assaulted 3 times by a person with ties to the landlord.

Both the landlord and tenant in this hearing agreed to mutually end the tenancy effective July 10, 2011 at 3:00PM. This mutual agreement to end tenancy will allow the tenant to

safely remove the remainder of her belongings from the property and allow the landlord to have possession of the property.

Both parties have been advised to move forward with their respective claims when they have their evidence in place. The landlord has been advised to request a face to face hearing.

The landlord's application is hereby dismissed with leave to reapply.

Conclusion

The tenancy will come to an end by Mutual Agreement on July 10, 2011 at 3:00PM.

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: June 30, 2011.

Residential Tenancy Branch