

DECISION

Dispute Codes: OPR, MNR and FF

Introduction

By application of July 21, 2011, the landlord sought an Order of Possession pursuant to a 10-day Notice to End Tenancy for unpaid rent served on July 5, 2011 and a Monetary Order for the unpaid rent and late fee.

At the commencement of the hearing, the parties advised that the tenant had vacated the rental unit and an Order of Possession was no longer at issue.

Issues to be Decided

This dispute requires a decision on whether the landlord is entitled to a Monetary Order as claimed.

Background and Evidence

This tenancy began on March 1, 2011. Rent is \$1,300 per month and the landlord holds a security deposit of \$650 and a pet damage deposit of \$600, both paid on or about March 1, 2011.

Consent Agreement

During the hearing, the parties advised that they had crafted the following consent agreement:

1. The parties agree that the tenant had not paid the \$1,300 rent for July 2011;
2. The tenant voluntarily relinquishes the security and pet damage deposits totalling \$1,250 in set off against the rent owed.
3. The tenant agrees to pay the landlord a further \$50 to complete the rent, \$25 late fee and the landlord's \$50 filing fee, an amount totalling \$125;
4. The parties agree that the landlord will be issued with a Monetary Order for \$125 to perfect this consent agreement.

Conclusion

In addition to authorization to retain the security and pet damage deposits in set off, the landlord's copy of this decision is also accompanied by a Monetary Order for \$125.00, enforceable through the Provincial Court of British Columbia, for service on the tenant.

August 24, 2011