



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, CNC, OLC, MNDC, FF

Introduction

This hearing was scheduled to deal with the tenants' application to cancel a Notice to End Tenancy for cause and for unpaid rent; for monetary compensation for damage or loss; and Orders for the landlord to comply with the Act, regulations or tenancy agreement. Both parties appeared at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

At the commencement of the hearing the parties indicated they would like an opportunity to settle their dispute. I assisted the parties in reaching a settlement agreement and have recorded it by way of this decision and the Order of Possession that accompanies it.

Issue(s) to be Decided

What are the terms of the settlement agreement?

Background and Evidence

The parties agreed to the following terms in settlement of this application:

1. The tenants withdraw their request for compensation for damage or loss against the landlord and their request for Orders for compliance.
2. The tenancy shall end and the tenants will vacate the rental unit by January 9, 2012.
3. The security deposit shall be retained by the landlord in full satisfaction of rent payable for January 2012.
4. The tenants shall leave the rental unit clean and undamaged at the end of the tenancy.
5. The parties will participate in a move-out inspection together in accordance with the requirements of the Act and Regulations.

6. The landlord retains the right to make an Application for Dispute Resolution for damages or loss if the landlord is of the position the rental unit was not left clean and undamaged at the end of the tenancy.

Analysis

Pursuant to the authority afforded me under section 63 of the Act, I accept the mutual agreement reached between the parties and make the terms an Order enforceable against both parties. In recognition of the mutual agreement I provide the landlord with an Order of Possession effective January 9, 2012.

Conclusion

This dispute was resolved by a settlement agreement as recorded in this decision. The landlord has been provided an Order of Possession effective January 9, 2012 to ensure vacant possession is returned to the landlord in accordance with the terms of the settlement agreement.

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: December 29, 2011.

Residential Tenancy Branch