



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPL, FF, AAT, RR, LAT, LRE, MNDC, OPT, FF

Introduction

This hearing was convened by way of conference call in response to applications made by the landlord and by the tenant. The landlord has applied for an Order of Possession for landlord's use of property and to recover the filing fee from the tenant for the cost of the application. The tenant has applied for an order allowing access to (or from) the unit or site for the tenant or the tenant's guests; for an order authorizing the tenant to change the locks to the rental unit; for an order suspending or setting conditions on the landlord's right to enter the rental unit; for an Order of Possession of the rental unit or site; for an order allowing the tenant to reduce rent for repairs, services or facilities agreed upon but not provided; for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement; and to recover the filing fee from the landlord for the cost of this application.

The tenant and an agent for the landlord attended the conference call hearing. During the course of the hearing, the parties agreed to settle these disputes on the following conditions:

1. The tenant will have an Order of Possession of the rental unit until July 31, 2012 at 1:00 p.m.;
2. The tenant will have exclusive possession of the rental unit until July 31, 2012 at 1:00 p.m.;
3. The landlord will not enter the rental unit until July 31, 2012 at 1:00 p.m.;
4. The landlord will ensure that all repairs and remediation/restoration to the rental unit will cease until August 1, 2012;
5. The parties will conduct a move-out condition inspection report of the rental unit on July 31, 2012 at 6:00 p.m.;
6. The tenant will return the locks of the door of the rental unit to the original locks prior to the move-out condition inspection taking place;
7. The landlord will pay to the tenant \$280.00 on July 31, 2012 at the time of the move-out condition inspection in compensation for loss of use of the rental unit from April 24 to April 30, 2012;

8. The landlord will have an Order of Possession of the rental unit effective July 31, 2012 at 1:00 p.m.;
9. The parties will comply with the *Residential Tenancy Act* as it relates to the security deposit.

Since the parties have been able to settle these disputes, and both parties have paid filing fees in respect of their applications, I decline to order that either party recover the cost of filing fees from the other party.

Conclusion

For the reasons set out above, I hereby grant an Order of Possession in favour of the tenant until July 31, 2012 at 1:00 p.m.

I further grant an Order of Possession in favour of the landlord effective July 31, 2012 at 1:00 p.m.

I further grant a monetary order in favour of the tenant pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$280.00.

I hereby order the parties to comply with the terms of the settlement agreement as specified above.

This order is final and binding on the parties and may be enforced.

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: July 20, 2012.

Residential Tenancy Branch