



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

### Dispute Codes

For the tenant: MNDC OLC PSF RR  
For the landlord: MNDC FF

### Introduction

This hearing dealt with an Application for Dispute Resolution under the *Residential Tenancy Act* (the “*Act*”) through cross-applications from both parties.

The tenant applied for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement, for an order directing the landlord to comply with the *Act*, regulation or tenancy agreement and to provide services or facilities required by law, and to allow the tenant to reduce rent for repairs, services or facilities agreed upon but not provided.

The landlord applied 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.

### Preliminary and Procedural Matter

As the start of the hearing, the parties agreed to withdraw their applications in full for the purposes of resolving their matters via a mutually settled agreement. As a result, the applications of both parties were withdrawn in full.

### Settlement Agreement

Section 63 of the *Act*, states:

#### **Opportunity to settle dispute**

- 63** (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or an order.

During the hearing, the parties agreed to settle these matters, on the following mutually agreed upon terms:

- 1) The tenancy will end on **December 31, 2012 at 1:00 p.m.**, subject to #2 below.
- 2) If the tenant is unable to find a new residence by **November 28, 2012 at 1:00 p.m.** the tenant will advise the landlord by e-mail prior to November 28, 2012 at 1:00 p.m. to extend the end of tenancy until **January 31, 2013 at 1:00 p.m.**
- 3) The landlord will be granted an order of possession, however, agrees not to enforce the order of possession until either December 31, 2012 or January 31, 2013 as per #1 and #2 above.
- 4) The landlord will arrange for a final bed bug inspection upon receiving an e-mail from the tenant, two weeks prior to the tenant vacating the rental unit.
- 5) The landlord agrees that the tenant may vacate the rental unit on a date earlier than December 31, 2012 or January 31, 2013 should the need arise for the tenant.

### Conclusion

The parties mutually agree to resolve their matters based on the terms described above.

I grant the landlord an order of possession effective 2 days after service on the tenant in accordance with the above-noted mutually settled agreement terms. The tenant must be served with the order of possession. Should the tenant 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.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: November 02, 2012

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Residential Tenancy Branch