



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNC, OPC, MNR, MNDC, FF

Introduction

This was a cross-application hearing.

The parties both agreed that the other had been served with Notice of each hearing and application.

Mutually Settled Agreement

The parties agreed that a deposit in the sum of \$425.00 has been paid; one half of that amount has been returned to the tenant's son, who vacated. The landlord is currently holding a deposit in the sum of \$212.50.

The tenant agreed that there have been disturbances and that she will vacate the unit. The tenant also confirmed that she owes November rent in the sum of \$850.00.

The landlord and tenant agreed that the landlord will be given an Order of possession effective November 30, 2012, at 1 p.m.

The tenant agreed the landlord should be given a monetary order in the sum of \$850.00 for November, 2012 rent due; the tenant does have the money and said she will pay the landlord. If rent is paid then the monetary order will not be enforceable.

Therefore, pursuant to section 63(2) of the Act; given the agreement made between the parties, the landlord has been granted an Order of possession that is effective **at 1p.m. on November 30, 2012**. This Order may be served on the tenant, filed with the Supreme Court of British Columbia and enforced as an Order of that Court.

Based on these determinations I grant the landlord a monetary Order in the sum of \$850.00 for November, 2012 rent owed. In the event that the tenant does not comply with this Order, it may be served on the tenant, filed with the Province of British Columbia Small Claims Court and enforced as an Order of that Court.

The landlord had claimed loss of December 2012 rent; that portion of the claim was premature and declined.

The landlord waived the claim for filing fee costs.

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 05, 2012.

Residential Tenancy Branch