



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This hearing dealt with the landlord's application for an Order of Possession for unpaid rent; a Monetary Order for unpaid rent; and, authorization to retain the security deposit. Both parties appeared or were represented 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.

The parties indicated they had reached a mutual agreement to resolve this dispute. I have recorded the settlement in this decision and the Order that accompanies it.

Issue(s) to be Decided

What are the terms of the mutual agreement?

Background and Evidence

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

1. The tenant shall return vacant possession of the rental unit to the landlord no later than December 14, 2012.
2. The landlord is authorized to retain the tenant's security deposit in satisfaction of any rent owed to the landlord for November and December 2012.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record a settlement agreement in the form of a decision or order.

I have accepted the settlement agreement reached by the parties during this hearing and make the terms an order to be binding upon both parties. I have recorded the settlement agreement by way of this decision and have provided the landlord with a

Order of Possession effective December 14, 2012 to serve upon the tenant and enforce as necessary.

Conclusion

This dispute was resolved by mutual agreement. The tenant shall return vacant possession to the landlord and the landlord is provided an Order of Possession effective December 14, 2012. The landlord is authorized to retain the tenant's security deposit in satisfaction of any rent owed for November and December 2012.

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 12, 2012.

Residential Tenancy Branch