



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

For the tenants: CNR FF O

For the landlords: OPR MNR MNSD FF

Introduction

This hearing was convened as a result of the cross-applications of the parties for dispute resolution under the *Residential Tenancy Act* (the “Act”).

The landlords applied for an order of possession for unpaid rent or utilities, a monetary order for unpaid rent or utilities, authorization to retain all or part of the security deposit and pet damage deposit, and to recover the filing fee.

The tenant applied to cancel a notice to end tenancy for unpaid rent or utilities.

The landlords and the tenant attended the hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

Preliminary Matters

As the tenant had already vacated the rental unit, the tenant was no longer seeking to dispute the Notice to End Tenancy for Unpaid Rent. As the landlords already obtained possession of the rental unit back, the landlords were no longer seeking an order of possession.

Settlement Agreement

During the hearing, the parties agreed to a settled agreement regarding their respective applications on the following conditions:

1. The parties agree that tenant failed to pay rent for February 2013 in the amount of \$1,200.00 and that the landlords are authorized to retain the tenant's full security deposit of \$600.00 and pet damage deposit of \$250.00 in partial satisfaction of the \$1,200.00 in rent owed.
2. The parties agree that the tenant owes **\$400.00** comprised of the remaining balance owing from the unpaid rent of \$350.00 plus the landlords' filing fee of \$50.00.
3. The parties agree that the tenant will pay the landlords via two payments of \$200.00 each for a total of \$400.00. The first payment will be made by the tenant in cash on **March 21, 2013 at 4:00 p.m.** at the landlords' place of business. The second payment will be made by the tenant in cash on **April 22, 2013 at 4:00 p.m.** at the landlords' place of business.
4. The parties confirmed the address of the landlords' place of business during the hearing.
5. The landlords' are granted a monetary order pursuant to section 67 of the *Act* in the amount of **\$400.00, which will be of no force or effect if** the amount owing has been paid by the tenant in accordance with #3 above.
6. The parties withdraw their respective applications in full as part of this settled agreement.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Conclusion

I order the parties to comply with the terms of this mutually settled agreement. I grant the landlords a monetary order in the amount of **\$400.00** which will be of no force or effect if the amount owing has been paid by the tenant in accordance with #3 above.

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: March 06, 2013

Residential Tenancy Branch

