



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes For the landlord: MNSD, OPR, MNR, FF
For the tenant: CNR, CNC

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 landlord applied for authority to retain the tenant's security deposit, a monetary order for unpaid rent, an order of possession for the rental unit due to unpaid rent, and for recovery of the filing fee.

The tenant applied for an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent, for seeking an order cancelling the landlord's 1 Month Notice to End Tenancy for Cause, and for recovery of the filing fee.

The hearing process was explained to the landlord and his agent as the tenant's agent did not dial into the telephone conference call hearing until after a significant amount of testimony had been heard. The tenant's agent was allowed to participate after she joined the hearing.

After further testimony and submissions, a mediated discussion ensued and the parties agreed the issues contained in their respective applications had been resolved.

Settled Agreement

The tenant and the landlord reached a mutual settlement under the following terms and conditions:

1. The landlord agreed that the tenant had vacated the rental unit and paid the rent for March 2013, the subject of the 10 Day Notice to End Tenancy for Unpaid Rent;

2. The landlord agreed that his application should be dismissed as the issues contained therein had been resolved;
3. The tenant agreed that as the issues in her application had been resolved, her application should be dismissed; and
4. The parties acknowledge their understanding that this settled Decision resolves the matters contained in their respective applications and that no finding is made on the merits of either application for dispute resolution.

Conclusion

Based upon the settled agreement as outlined above, the landlord's and the tenant's applications are dismissed.

As the applications of each party are dismissed, both parties shall bear their own filing fees.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

This settled agreement 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* and is being mailed to both the applicant and the respondent.

Dated: April 10, 2013

Residential Tenancy Branch