



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes:**

*OPR, MNR, MNDC, CNR, OLC, RP, SF, RR, FF*

### **Introduction**

This hearing dealt with applications by the landlord and the tenant, pursuant to the *Residential Tenancy Act*.

The landlord applied for an order of possession and for a monetary order for unpaid rent, the cost of repairs and the filing fee. The tenant applied for an order to set aside the notice to end tenancy, for an order directing the landlord to comply with the Act, to provide services, to make repairs and reduce rent.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

### **Issues to be decided**

Is the landlord entitled to an order of possession and a monetary order for unpaid rent?

Is the tenant entitled to the remedies he has applied for?

### **Background and Evidence**

The tenancy started on July 01, 2013. The rental unit consists of a duplex occupied by three tenants. The total monthly rent is \$1,800.00. The landlord currently holds a security deposit of \$900.00.

The applications of both parties were discussed at length. During the hearing the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

### **Analysis**

Pursuant to Section 63 of the *Residential Tenancy Act*, the Arbitrator may assist the parties settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During this hearing, the parties reached an agreement to settle their dispute.

Specifically, both parties agreed to the following:

- The tenant agreed to move out on or before **1:00 p.m. on August 31, 2013**. An order of possession will be issued to the landlord effective this date.
- The landlord agreed to allow the tenancy to continue until **1:00 p.m. on August 31, 2013**.
- Both parties agreed to withdraw their monetary claims against each other.
- Both parties stated that they understood and agreed that the above terms comprise the full and final settlement of all aspects of this dispute for both parties.

### **Conclusion**

Pursuant to section 55(2) I am issuing a formal order of possession effective on or before **1:00 p.m. on August 31, 2013**. The Order may be filed in the Supreme Court for enforcement.

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: August 21, 2013

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Residential Tenancy Branch

