



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes Tenant CNR, MNDC, ERP, PSF, RR, O
 Landlord OPR, MNR, MND, MNDC, MNSD, FF

Introduction

This hearing dealt with cross applications for Dispute Resolution filed by both the Landlords and the Tenant.

The Landlords filed seeking an Order of Possession, a monetary order for unpaid rent, for compensation for loss or damage under the Act, regulations or tenancy agreement, for compensation for damage to the unit, site or property, to retain the Tenants' security deposit and to recover the filing fee for this proceeding.

The Tenant filed to obtain an order to cancel the Notice to End Tenancy and if successful; for compensation for loss or damage under the Act, regulations or tenancy agreement, for the Landlord to do emergency repairs and general repairs to the unit site or property, for the Landlord to provide services and facilities, for a rent reduction and for other considerations.

Service of the hearing documents by the Landlords to the Tenant were done by personal delivery on July 19, 2013 in accordance with section 89 of the Act.

Service of the hearing documents by the Tenant to the Landlords were done by personal delivery on July 9, 2013 in accordance with section 89 of the Act.

Both parties confirmed the receipt of the other parties' hearing package.

During the course of the hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. The Tenant agreed to move out of the rental unit by 1:00 p.m. on August 31, 2013.
2. The Tenant agreed that he has unpaid rent for August, 2013 in the amount of \$750.00. The Tenant said he will pay the August, 2013 rent by agreeing to have the Landlord retaining his security deposit of \$375.00 and applying an over

payment of rent in the amount of \$375.00, which the Tenant paid in October, 2012.

3. The Landlord agreed to accept the security deposit and the over payment of rent as full settlement of the August, 2013 rent.
4. Both parties agreed that the Landlord would receive an Order of Possession effect for 1:00 p.m. August 31, 2013.

Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 of the Act the Landlords and the Tenant agreed to the above arrangement.

As no further action is required on this file, the file is closed.

Conclusion

The Parties agreed to end the tenancy on August 31, 2013 as per the above arrangement.

The Landlord has received an Order of Possession with an effective vacancy date of 1:00p.m. August 31, 2013.

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 14, 2013

Residential Tenancy Branch