



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Squamish Sikh Society
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes Landlord: OPR, MND, MNR, MNSD, MNDC, FF, SS, ET
Tenant: OPT, FF

Introduction

This hearing dealt with the cross Application's for Dispute Resolution. The tenants sought an order of possession and the landlord sought an order of possession and a monetary order.

The hearing was conducted via teleconference and was attended by the landlord's agent and legal counsel and the male tenant.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to an order of possession for unpaid rent; to a monetary order for unpaid rent; for damage to the property; for compensation for damage or loss; for all or part of the security deposit and to recover the filing fee from the tenants for the cost of the Application for Dispute Resolution, pursuant to Sections 37, 38, 46, 55, 67, and 72 of the *Residential Tenancy Act (Act)*.

It must also be decided if the tenants are entitled to an order of possession and to recover the filing fee from the landlord for the cost of the Application for Dispute Resolution, pursuant to Sections 46, 67, and 72 of the *Act*.

Background and Evidence

The parties reached the following settlement:

1. The parties agree to withdraw their respective Applications;
2. The tenants agree to vacate the rental property no later than 1:00 p.m. on August 31, 2013;
3. The tenants agree to pay the landlord \$3,600.00 in unpaid rent;
4. The landlord agrees to return the security deposit of \$600.00; and
5. The parties agree that this settlement does not restrict either party from future claims by either of them against the other for damage or loss resulting from the tenancy but not related to unpaid rent.

Conclusion

In support of this settlement and with agreement of both parties I grant the landlord an order of possession effective **August 31, 2013 after service on the tenants**. This order must be served on the tenants. If the tenants fail to comply with this order the landlord may file the order with the Supreme Court of British Columbia and be enforced as an order of that Court.

Also in support of this settlement and with agreement of both parties I grant the landlord a monetary order in the amount of **\$3,000.00** comprised of \$3,600.00 rent owed less \$600.00 from the security deposit held by the landlord.

This order must be served on the tenants. If the tenants fail to comply with this order the landlord may file the order in the Provincial Court (Small Claims) and be enforced as an order of that Court.

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 26, 2013

Residential Tenancy Branch