



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, FF, OPR, FF

Introduction

This hearing was convened by way of conference call in response to an application made by both the landlord and tenant. The landlord applied for an order of possession and a monetary order for unpaid rent, to keep all or part of the pet damage or security deposit and to recover the filing fee for the cost of this application from the tenants. The tenants applied to cancel the notice to end tenancy for unpaid rent or utilities.

An agent for the landlord and one of the tenant appeared for the conference call hearing and no issues with regards to the service of documents under the *Residential Tenancy Act* were raised by either party.

Analysis & Conclusion

Pursuant to section 63 of the *Residential Tenancy Act*, the Arbitrator may assist the parties to 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 the hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

All parties **agreed** to settle their dispute under the following terms:

1. The tenancy will end at 1:00 p.m. on August 31, 2013 and the tenants will vacate on this date. The landlord will have an order of possession effective for 1:00 p.m. on August 31, 2013 which the landlord can serve onto the tenants at his discretion and is enforceable **if** the tenants fail to vacate on this date and time.
2. The tenant gives consent for the landlord to deduct \$25.00 towards the cost of the filing fee for this application from the security deposit at the end of the tenancy.

3. The landlord and tenant agreed that the security and pet damage deposits will be dealt with at the end of the tenancy and the parties clearly understand the legal provisions around how a security deposit is dealt with at the end of tenancy and that these provisions still apply.

For the reasons set out above, I hereby grant an order of possession in favour of the landlord effective August 31, 2013 at 1:00 p.m.

This order is final and binding on the parties and may be enforced.

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 01, 2013

Residential Tenancy Branch

