



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

Tenants' application (filed September 24, 2013): MT; CNC; MNR; MNDC; MNSD; OLC;
LRE; LAT; RR; FF

Landlords' application (filed October 10, 2013): OPR; MND; MNSD; MNDC; ET; O; FF

Introduction

This Hearing was scheduled to consider Applications by both parties.

The Tenants seek an extension of time to file an application to dispute a notice to end the tenancy; to cancel a Notice to End Tenancy for Cause issued September 10, 2013 (the "Notice"); the cost of emergency repairs; compensation for damage or loss under the Act, regulation or tenancy agreement; return of the security deposit; an Order that the Landlord comply with the Act, regulation or tenancy agreement; an Order that the Landlord return the Tenant's personal property; an Order suspending or setting conditions on the Landlords' right to enter the rental unit; an Order authorizing the Tenants to change the locks to the rental unit; a rent reduction; and to recover the cost of the filing fee from the Landlords.

The Landlords seek to end the tenancy early and obtain an Order of Possession; a monetary order for damage to the rental unit or property; to keep all of the security deposit; compensation for damage or loss under the Act, regulation or tenancy agreement; return of the security deposit; and to recover the cost of the filing fee from the Tenants.

The Hearing was conducted via teleconference and was attended by both parties, who gave affirmed testimony.

It was determined that the parties each served the other with the Notice of Hearing documents by registered mail.

Preliminary Matters

The Residential Tenancy Rules of Procedure, Rule 2.3, states that for disputes to be combined on an application they must be related. I find that that the monetary claims and that both parties have made are not sufficiently related to the main issue, which is

to cancel the Notice or to provide the Landlords with an Order of Possession. For these reasons, I advised the parties that I will be dealing only with question of whether or not the tenancy is ending. The parties' claims for monetary and other orders are dismissed **with leave to reapply**.

During the course of the Hearing, the parties reached a settlement agreement. Pursuant to the provisions of Section 63 of the Act and at the request of the parties, I have hereby recorded the terms of the settlement.

1. The parties reached a mutual agreement that the tenancy will end at 1:30 p.m. on October 31, 2013.

Conclusion

In support of this settlement agreement, I hereby provide the Landlords with an Order of Possession effective **1:30 p.m., October 31, 2013**. This Order may be enforced in the Supreme Court of British Columbia as an Order of that Court.

There will be no order as to reimbursement of the filing fee to either party.

The Landlords and Tenants may re-apply for their monetary and other orders.

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: October 18, 2013

Residential Tenancy Branch

