



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes TENANT: CNC, FF
 LANDLORD: OPC, FF

Introduction

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

The Landlord filed seeking an Order of Possession and to recover the filing fee for this proceeding.

The Tenant filed seeking an Order to cancel the Notice to End Tenancy and to recover the filing fee for this proceeding.

Service of the hearing documents by the Landlord to the Tenant were done by registered mail on September 25, 2013, in accordance with section 89 of the Act.

Service of the hearing documents by the Tenant to the Landlord were done by registered mail on September 5, 2013, in accordance with section 89 of the Act.

Both parties confirmed receiving the other parties Hearing Packages.

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

1. Both the Tenant and the Landlord agreed to end the tenancy on October 31, 2013 on or before 1:00 p.m.;
2. The Landlord agreed the Tenants are not required to pay the October, 2013 rent of \$3,330.00. The Landlord said he has not received the Tenant's October, 2013 rent cheque, but if he does he will not cash it. The Tenant said he will put a stop payment of the October 2013 rent cheque.

3. The Tenant's security deposit of \$1,600.00 will be handled at the end of the tenancy as prescribed by the Act, regulations and the tenancy agreement.
4. The Tenant said he will contact the Landlord's agent with details of the Tenants move out time line.
5. The Tenant agrees to move out of the rental unit by 1:00 p.m. on October 31, 2013.
6. The Landlord will receive an Order of Possession with and effective vacancy date of October 31, 2013 at 1:00 p.m.

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 Landlord 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 October 31, 2013 as per the above arrangement.

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

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 15, 2013

Residential Tenancy Branch