



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, RR, O

Introduction

This hearing dealt with a tenant's application to cancel a Notice to End Tenancy for Unpaid Rent and request for rent reduction. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

The Application for Dispute Resolution has been amended, by consent, to exclude the name of the tenant's advocate as an applicant.

During the hearing, the parties reached a mutual agreement that I have recorded by way of this decision and the Order of Possession that accompanies it.

Issue(s) to be Decided

What are the terms of the mutual agreement?

Background and Evidence

During the hearing the parties mutually agreed to the following:

1. The tenant shall return vacant possession of the rental unit to the landlord no later than October 4, 2013.
2. The tenant authorizes the landlord to retain the security deposit in partial satisfaction of the rent owed to the landlord.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record a settlement agreement in the form of a decision or order.

I have accepted the mutually agreed upon terms reached by the parties during this hearing and make the terms an Order to be binding upon both parties.

In recognition of the mutual agreement I provide the landlord with an Order of Possession effective October 4, 2013. In recognition of the mutual agreement and for further certainty, I also authorize the landlord to retain the tenant's security deposit.

As the tenancy has ended I found it unnecessary to further consider the tenant's request for a rent reduction.

Conclusion

The parties resolved this dispute by way of a mutual agreement that I have recorded by way of this decision and the Order of Possession provided to the landlord in recognition of that mutual agreement.

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 01, 2013

Residential Tenancy Branch

