



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

For the tenants: MT CNR RR O

For the landlord: OPR MNR FF

Introduction

This hearing was convened as a result of the cross applications of the parties under the *Residential Tenancy Act* (the “Act”). The landlord applied for an order of possession for unpaid rent or utilities, a monetary order for unpaid rent or utilities, and to recover the filing fee. The tenants applied to cancel a notice to end tenancy for unpaid rent or utilities, for more time to dispute a notice to end tenancy, for a rent reduction, and “other” although details of “other” were not clear in the tenants’ application.

Tenant KP, the landlord and the son of the landlord, KM, attended the hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

The tenant confirmed that the tenants did not submit evidence in support of their application or in response to the landlord’s application. The tenant confirmed that the tenants received the landlord’s evidence prior to the hearing and that the tenants had the opportunity to review the landlord’s evidence prior to the hearing.

Settlement Agreement

During the hearing, the parties agreed to settle these matters, on the following conditions:

1. The parties agree that the tenancy will end on **December 15, 2013 at 1:00 p.m.**
2. The landlord is granted an order of possession **effective December 15, 2013 at 1:00 p.m.** which must be served on the tenants.
3. The tenants agree that they owe the landlord a total of **\$1,368.00** comprised of \$168.00 owing for September 2013 utilities, and \$1,200.00 owing for October

2013 rent. The tenants agree to pay the landlord **\$1,368.00 on or before October 28, 2013 at 5:00 p.m.**

4. The parties agree to withdraw their respective applications in full as part of this mutually settled agreement.
5. The landlord is granted a monetary order pursuant to section 67 of the *Act* in the amount of **\$1,368.00, which will be of no force or effect if the amount owing has been paid by the tenants in accordance with #3 above.**
6. The parties acknowledge that rent for November 2013 is due on November 15, 2013.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

The tenancy ends on December 15, 2013 at 1:00 p.m. I grant the landlord an order of possession effective December 15, 2013 at 1:00 p.m. The tenants must be served with the order of possession. This order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

The landlord has been granted a monetary order in the amount of **\$1,368.00** which will be of no force or effect if the amount owing has been paid in accordance with the above terms.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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 22, 2013

Residential Tenancy Branch

