



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding KENTLAND INVESTMENTS LTD  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPR, MNR, MNSD, MNDC, FF

### Introduction

This hearing was convened by way of conference call in response to an application by the landlords for an Order of Possession and a Monetary Order for unpaid rent or utilities. The landlords also applied to keep all or part of the pet damage or security deposit; for money owed or compensation for damage or loss under the Residential Tenancy Act (referred to as the Act), regulation or tenancy agreement; and to recover the filing fee from the tenant for the cost of this application.

An agent for the landlord and the tenant appeared for the hearing and no issues in relation to the service of documents under the Act were raised by any of the parties.

During the hearing the tenant testified that he was currently in rent arrears in the amount of \$1,425.00. The landlord's agent indicated that she was willing to settle the landlords' application with the tenant during the hearing.

### Analysis & Conclusion

Pursuant to section 63 of the 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 the dispute.

Both parties agreed to settle the dispute under the following terms:

1. The landlord and tenant agreed that the tenancy will end at 1:00 p.m. on November 30, 2013 and the tenant will vacate on this date. The tenant was agreeable to the landlord being issued with an Order of Possession effective for

1:00 p.m. on November 30, 2013 which the landlord can serve onto the tenant **if** the tenant fails to vacate on this date and time.

2. The landlord's agent withdrew her application for unpaid rent in the amount of \$1,425.00 as the landlords agree that the tenant does not have to pay this amount of outstanding rent as a term of this settlement.
3. The tenant consented to the landlords keeping the tenant's security deposit in the amount of \$687.50.

For the reasons set out above, I hereby grant an Order of Possession in favour of the landlords effective **November 30, 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: November 22, 2013

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Residential Tenancy Branch

