



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Mainstreet Equity Corp
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

OPR, MNR, MNDC, MNSD, FF

Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has requested an Order of Possession for Unpaid Rent, a monetary Order for unpaid rent, compensation for damage or loss under the Act, to retain all or part of the security deposit, and to recover the filing fee from the tenants for the cost of this Application for Dispute Resolution.

Both parties were present at the hearing. At the start of the hearing I introduced myself and the participants.

The agent for the landlord provided affirmed testimony that on November 15, 2013 copies of the Application for Dispute Resolution and Notice of Hearing were sent to each tenant via registered mail at the address noted on the Application. A Canada Post tracking number and receipt was provided as evidence of service to each tenant.

These documents are deemed to have been served in accordance with section 89 and 90 of the Act. The female tenant was present at the hearing; the male tenant did not attend.

Preliminary Matters

The tenant provided affirmed testimony that she could not find a copy of the landlord's application in the hearing package she had received. A copy was also not included with the co-tenant's hearing package.

The tenant said that she thought this hearing was in relation to unpaid rent.

The application details were reviewed with the tenant.

The parties then entered into a discussion about a possible mutually settled agreement.

Mutually Settled Agreement

The landlord and tenant mutually agreed:

- that \$173.00 is currently outstanding for November rent that was owned on the 1st day of the month;
- that the tenancy will end effective 1 p.m. on December 31, 2013;
- that the landlord is entitled to an Order of possession effective December 31, 2013, at 1 p.m.; and
- that the tenant will pay December 2013 rent owed.

Therefore, in support of the mutually settled agreement I find, pursuant to section 63(2) of the Act, that the matters included on the landlord's application have been settled and that the landlord is entitled to an Order of possession effective December 31, 2013, at 1 p.m.

The security deposit will be disbursed in accordance with the Act.

The landlord has been granted an Order of Possession that is effective at 1 p.m. on December 31, 2013. The Order may be filed with the Supreme Court of British Columbia and enforced as an Order of that Court.

Conclusion

By mutual agreement the matters contained in the application have been settled and the tenancy will end effective December 31, 2013.

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: November 29, 2013

Residential Tenancy Branch

