



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes DRI CNL MNDC OLC OPT RR

Introduction

This hearing dealt with an Application for Dispute Resolution filed on November 20, 2013, by the Tenants.

The parties appeared at the teleconference hearing, acknowledged receipt of evidence submitted by the other and gave affirmed testimony. At the outset of the hearing I explained how the hearing would proceed and the expectations for conduct during the hearing, in accordance with the Rules of Procedure. Each party was provided an opportunity to ask questions about the process however, each declined and acknowledged that they understood how the conference would proceed.

Issue(s) to be Decided

Have the parties agreed to settle these matters?

Background and Evidence

The parties testified that they have mutually agreed to settle these matters.

Analysis

Pursuant to section 63 of the *Act*, the parties may settle their dispute and the settlement may be recorded in the form of a decision or an order. At the outset of this proceeding the parties testified that they achieved a resolution to their disputes on the following grounds:

- 1) The Landlord provides the Tenants with a cheque dated February 1, 2014 for \$2,000.00 as reimbursement for the increased rent collected;

- 2) The Landlord provides the Tenants with a cheque dated February 28, 2014 for \$312.50 as return of the security deposit;
- 3) The Tenants do not pay rent for the month of February, 2014, as compensation equal to 1 month's rent for being served the 2 Month Notice to end tenancy dated November 19, 2013; and
- 4) The Tenant's vacate the rental unit no later than February 28, 2014.

In support of this settlement agreement the Tenants will be issued a Monetary Order in the amount of \$2,312.50 (\$2,000.00 + \$312.50) and the Landlord will be issued an Order of Possession effective February 28, 2014.

Conclusion

The Tenants have been issued a Monetary Order in the amount of **\$2,312.50**. In the event that either post dated cheque does not clear the bank, the Tenants may serve this Order upon the Landlord. In the event that the Landlord does not comply with this Order it may be filed with the Province of British Columbia Small Claims Court and enforced as an Order of that Court.

The Landlord has been issued an Order of Possession effective **February 28, 2014 after service on the Tenants**. This Order is legally binding and must be served upon the Tenants in the event they do not vacate the property in accordance with this settlement agreement. This Order may be filed with the Province of British Columbia Supreme Court and enforced as an Order of that Court.

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: January 15, 2014

Residential Tenancy Branch

