



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

### Dispute Codes

OPC, FF  
MT, CNC, MNR, MNDC, OLC, RP, RR, FF

### Introduction

This hearing was convened by way of conference call concerning applications made by the landlord and by the tenant. The landlord has applied for an Order of Possession for cause and to recover the filing fee from the tenant for the cost of the application. The tenant has applied for more time to make an application for an order cancelling notice to end tenancy than permitted under the *Residential Tenancy Act*; for an order cancelling a notice to end tenancy for cause; for a monetary order for the cost of emergency repairs; for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement; for an order that the landlord comply with the *Act*, regulation or tenancy agreement; for an order that the landlord make repairs to the unit, site or property; for an order permitting the tenant to reduce rent for repairs, services or facilities agreed upon but not provided; and to recover the filing fee from the landlord for the cost of the application.

An agent for the landlord and the tenant attended the hearing. During the course of the hearing, the parties agreed to settle both disputes on the following conditions:

1. The landlord will have an Order of Possession effective April 30, 2014 at 1:00 p.m. and the tenancy will end at that time;
2. The tenant will be permitted to deduct the sum of \$400.00 from the \$1,300.00 rental amount for the month of April, 2014;
3. The tenant will immediately return the lock to the rental unit to the original lock to ensure the landlord has a means of entry in case of emergency;
4. The parties will conduct a move-out condition inspection report in accordance with the *Residential Tenancy Act* on April 30, 2014 at 12:00 noon, and the landlord will attend or another agent, not the agent who attended this hearing, will participate in the inspection on behalf of the landlord;

5. This settlement agreement is in full satisfaction of the claims of the parties herein.

### Conclusion

For the reasons set out above, I hereby grant an Order of Possession in favour of the landlord effective April 30, 2014 at 1:00 p.m.

I further order that the amount of rent payable by the tenant for the month of April, 2014 is \$900.00;

I further order the tenant to immediately return the lock to the rental unit to the original lock to ensure the landlord has a means of entry in case of emergency.

I further order the parties to conduct a move-out condition inspection report on April 30, 2014 commencing at 12:00 noon, in accordance with the *Residential Tenancy Act* without the necessity of the landlord providing at least 2 opportunities in writing to conduct the inspection, and that the landlord or an agent of the landlord who is not the agent attending at this hearing, be present for that inspection.

I further order that the settlement agreement made in these terms is in full satisfaction of the claims by the parties before me, and is binding and enforceable.

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: March 13, 2014

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Residential Tenancy Branch

