



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNR, MNDC, OLC, FF

Introduction

This hearing was held in response to the tenant's Application for Dispute Resolution in which the tenants have applied to cancel a 10 Day Notice to End Tenancy for Unpaid Rent, an Order the landlord comply with the Act, compensation for damage or loss under the Act and return of the filing fee costs.

Both parties were present at the hearing. At the start of the hearing I introduced myself and the participants. The hearing process was explained, evidence was reviewed and the parties were provided with an opportunity to ask questions about the hearing process. They were provided with the opportunity to submit documentary evidence prior to this hearing, all of which has been reviewed. Neither party served the other with their evidence; which was then set aside.

Monetary Claim

The tenants set out a claim in the sum of \$500.00, which was related to their request for an Order the landlord comply with the Act. At the start of the hearing I determined that this portion of the application would not proceed, based upon section 59(5)(a) of the Act which provides the authority decline an application when it does not comply with 59(2)(b) of the Act, by disclosing the full particulars of the claim.

The tenants did not provide a detailed calculation for any portion of the monetary claim. Therefore, this portion of the claim is declined and the tenants have leave to reapply.

End of Tenancy – Mutually Settled Agreement

The tenant confirmed that they are vacating the unit today. The landlord stated that this was acceptable and the parties agreed to meet later for an inspection of the unit.

The parties were told that an Order of possession would be issued to the landlord in support of the agreement.

Opportunity to settle dispute

63 (1) *The director may assist the parties, or offer the parties an opportunity, to settle their dispute.*

(2) *If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or an order.*

Therefore, pursuant to section 63(2) of the Act the landlord has been granted an Order of possession that is effective **two days after it is served upon the tenants**. This Order may be filed with the Supreme Court of British Columbia and enforced as an Order of that Court.

Filing fees are declined.

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: April 30, 2014

Residential Tenancy Branch

