



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes

For the tenant: CNR OLC FF  
For the landlord: OPR MNR MNSD FF

### Introduction

This hearing was convened as a result of the cross-applications of the parties for dispute resolution under the *Residential Tenancy Act* (the “Act”).

The tenant applied to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “10 Day Notice”), for an order directing the landlord to comply with the Act, regulation or tenancy agreement, and to recover his filing fee.

The landlord applied for an order of possession for unpaid rent or utilities, for a monetary order for unpaid rent or utilities, to keep all or part of the security deposit, and to recover her filing fee.

The tenant and the landlord attended the hearing. The parties had the hearing process explained to them and an opportunity to ask questions about the hearing process was provided to both parties.

### Preliminary and Procedural Matter

By mutual agreement of the parties, the tenant’s application was amended to reflect the correct unit number of the rental unit which is Unit “B”, not Unit “C” as indicated in the tenant’s original application.

### Settlement Agreement

During the hearing, the parties agreed to settle these matters related to this tenancy, on the following conditions:

1. The parties agree that the tenancy will end on **May 29, 2014 at 6:00 p.m.**
2. The landlord is granted an order of possession **effective May 29, 2014 at 6:00 p.m.** The landlord must serve the tenant with the order of possession.
3. The parties agree that the tenant owes the landlord \$1,550.00, comprised of unpaid rent of \$750.00 for April 2014, \$750.00 for May 2014, and the \$50.00 filing fee of the landlord.
4. The parties agree that the tenant will surrender his full security deposit of **\$375.00** towards the amount owing listed above in #3, reducing the total amount owing by the tenant to the landlord to **\$1,175.00**
5. The landlord is granted a monetary order pursuant to section 67 of the *Act* in the amount of **\$1,175.00**. The landlord must serve the tenant with the monetary order.
6. The parties agree to withdraw their respective applications in full as part of this settlement agreement. The tenant agrees to waive his filing fee in full.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

#### Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

The landlord has been granted an order of possession effective May 29, 2014 at 6:00 p.m. which must be served on the tenant and may be enforced in the Supreme Court of British Columbia.

The landlord has been granted a monetary order in the amount of \$1,175.00. This order must be served on the tenant and may be filed in the Provincial Court (Small Claims) and enforced as an order of that court.

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: May 23, 2014

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Residential Tenancy Branch

