



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes O, FF

Introduction

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

I find that the Application for Dispute Resolution/Notice of Hearing was sufficiently served on the landlord. With respect to each of the applicant's claims I find as follows:

Background and Evidence

The parties entered into a one year fixed term tenancy that provided that the tenancy would begin on November 1, 2013 and end on October 31, 2014. The rent was \$1125 per month payable in advance on the first day of each month. The tenants paid a security deposit of \$562.50 plus \$20 for a key deposit.

The tenants have made a number of complaints about noise and the condition of the rental unit.

On July 2, 2014 the landlord made a settlement proposal as follow: "Tenants may give the Landlord Notice to vacate for the following rental month. Further the Tenants will

not be held liable for the remaining months of their fixed term tenancy if the Landlord is unable to re-rent the unit immediately.”

At the hearing the tenants accepted the landlord’s settlement proposal with the exception that the parties mutually agreed that the tenancy would end on July 31, 2014.

As a result of the settlement I granted the landlord an Order for Possession effective 1:00 p.m. on July 31, 2014. All remaining claims in the Application for Dispute Resolution are dismissed.

The tenants must be served with this Order as soon as possible. Should the tenant fail to comply with this Order, the landlord may register the Order with the Supreme Court of British Columbia for enforcement.

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: July 17, 2014

Residential Tenancy Branch

