



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes**

Landlord's application: OPR; OPC; MNR; MNSD; FF

Tenants' application: MT; CNR; CNC; RR; FF

### **Introduction:**

This Hearing was convened to consider cross applications. The Landlord seeks application for an Order of Possession; a monetary award for unpaid rent and utilities; to retain a portion of the security deposit in satisfaction of his monetary award; and to recover the cost of the filing fee from the Tenants.

The Tenants seek an extension of time to file an application to cancel a Notice to End Tenancy for Unpaid Rent; to cancel the Notice to End Tenancy for Unpaid Rent and a Notice to End Tenancy for cause; a rent reduction for repairs, services or facilities agreed upon but not provided; and to recover the cost of the filing fee from the Landlord

Both parties signed into the teleconference and gave affirmed testimony.

It was determined that the Landlord served the Tenants with his Hearing package and copies of his documentary evidence by registered mail, sent August 29, 2014. It was also determined that the Tenants served the Landlord with their Hearing package by handing the documents to the Landlord on July 18, 2014, and that they provided the Landlord with copies of their documents by hand, on September 4, 2014.

The parties focussed primarily on the Landlord's request for an Order of Possession and the Tenants' request to cancel the two Notices to End Tenancy. The parties came to an agreement with respect to an end-of-tenancy date. Pursuant to the provisions of Section 63(2) of the Act, I have recorded the settlement agreement, as follows:

**The tenancy will end on October 31, 2014, at 1:00 p.m.**

The time allotted for the Hearing ran out before the parties' request for monetary compensation could be addressed.

**Conclusion:**

As a result of the settlement agreement, I grant the Landlord an Order of Possession **effective October 31, 2014, at 1:00 p.m.**, for service upon the Tenants. This order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

**I dismiss the remainder of each of the parties' claims with leave to reapply.** I make no order as to reimbursement of the filing fee to either party.

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: September 22, 2014

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Residential Tenancy Branch

