



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION and RECORD OF SETTLEMENT

Dispute Codes:

CNL, OPL, MNDC, ERP, RP, RR, FF

Introduction

This hearing was convened in response to cross-applications by the parties pursuant to the *Residential Tenancy Act* (the Act) to cancel a 2 Month Notice to End Tenancy for Landlord's Use, an Order of Possession for the landlord, and a monetary Order in respect to loss for the tenant. Both parties attended the hearing and provided their testimony. The tenant was aided by an advocate and the landlord was aided by a family member.

The parties agreed that the tenancy started in October 2011 and that the payable rent is \$680.00 per month. The parties agreed that the landlord holds a security deposit in the amount of \$340.00.

During the course of the hearing the parties discussed their dispute and agreed to settle all issues in dispute to the full satisfaction of both parties, and that I record their settlement as per Section 63 of the Residential Tenancy Act, as follows:

1. the tenant and landlord agree **this tenancy will end October 31, 2014**, and
2. the tenant and landlord acknowledge the landlord will receive an **Order of Possession** effective **October 31, 2014**, and
3. the parties agree **the landlord will compensate the tenant \$500.00** no later than the last day of the tenancy, and
4. the parties agree they will administer the security deposit at the end of the tenancy in accordance with the Act.

So as to perfect this settlement agreement:

I grant the landlord an **Order of Possession, effective October 31, 2014**. The tenant must be served with this Order. If the landlord serves the Order of Possession on the tenant and the tenant fails to comply with the order, the Order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

I grant the tenant a **Monetary Order** under Section 67 of the Act for the agreed amount of **\$500.00**. *If necessary*, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

As the parties mutually resolved this matter, I decline to award any filing fee in respect to the applications.

This Decision and Settlement Agreement is final and binding on both parties.

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: October 21, 2014

Residential Tenancy Branch

