



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR, OPC, MNR, MNSD, O, FF

Introduction

This hearing was convened in response to cross applications.

The Landlord filed an Application for Dispute Resolution, in which the Landlord applied for an Order of Possession for Unpaid Rent; an Order of Possession for Cause; to recover the fee for filing this Application for Dispute Resolution; and for “other”.

The Tenant filed an Application for Dispute Resolution, in which the Tenant applied for the return of the security deposit and to recover the fee for filing this Application for Dispute Resolution.

Both parties were represented at the hearing.

Issue(s) to be Decided

Is the Landlord entitled to an Order of Possession and a monetary Order for unpaid rent?

Should the security deposit be retained by the Landlord or returned to the Tenant?

Background and Evidence

After considerable discussion the Landlord and the Tenant mutually agreed to resolve all issues in dispute in these proceedings under the following terms:

- The Landlord will retain the Tenant’s security deposit of \$2,500.00
- The Tenant will not have to pay any outstanding rent that accrued prior to November 22, 2014
- The tenancy will end on November 22, 2014 and the Tenant will vacate by 5 p.m. on that date
- The Landlord may change the locks any time after 5 p.m. on November 22, 2014
- The Tenant will leave the rental unit undamaged.

Analysis

The issues in dispute at these proceedings have been settled in accordance with the aforementioned terms.

Conclusion

On the basis of the aforementioned settlement agreement, I grant the Landlord an Order of Possession that is effective at 5:00 p.m. on November 22, 2014. This Order may be served on the Tenant, filed with the Supreme Court of British Columbia, and enforced as an Order of that Court.

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: November 18, 2014

Residential Tenancy Branch

