



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes

For the tenant: RP, CNC, OLC, LRE  
For the landlord: OPC, MNR, MNDC, FF

### Introduction

This hearing was convened as the result of the applications for dispute resolution under the Residential Tenancy Act (the “Act”) by each party. The tenants applied for an order requiring the landlord to make repairs to the rental unit, for an order cancelling the landlord’s 1 Month Notice to End Tenancy for Cause, for an order requiring the landlord to comply with the Act, regulations, or tenancy agreement, an order suspending or setting conditions on the landlord’s right to enter the rental unit. The landlord applied for an order of possession for the rental unit due to alleged cause, a monetary order for unpaid rent, a monetary order for money owed or compensation for damage or loss, and for recovery of the filing fee paid for this application.

The parties appeared and each submitted some of their respective positions.

Thereafter a mediated discussion ensued and the parties agreed to resolve their differences.

*Preliminary matter*-At the beginning of the hearing, the landlord was informed that her request for monetary compensation was not related to the primary issue of whether the 1 Month Notice had merit and was enforceable. As a result, pursuant to section 2.3 of the Residential Tenancy Branch Rules of Procedure, I have severed the landlord’s application and dismissed that portion of the landlord’s request, with leave to reapply.

### Settled Agreement

The tenants and the landlord agreed that they could resolve their differences and reach a mutual settlement under the following terms and conditions:

1. The tenants agree to vacate the rental unit by 1:00 p.m. on February 2, 2015;
2. The tenants understand the landlord will be issued an order of possession for the rental unit, based upon the settled agreement, and that if the tenants fail

- to vacate the rental unit by 1:00 p.m., February 2, 2015, the landlord may serve the order of possession on the tenants for enforcement purposes; and
3. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the parties' respective applications and that no finding is made on the merits of either application for dispute resolution or the landlord's Notice.

### Conclusion

The tenants and the landlord have reached a settled agreement.

Based upon the settled agreement as outlined above, I provide the landlord with an order of possession for the rental unit in the event the tenants fail to vacate the rental unit by February 2, 2015, at 1:00 p.m.

The order of possession is enclosed with the landlord's Decision. This order is a legally binding, final order, and may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court should it become necessary.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

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: January 30, 2015

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Residential Tenancy Branch

