



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MND, MNSD, FF

Introduction

This hearing was convened by way of conference call concerning an application made by the landlord for an Order of Possession and a monetary order for unpaid rent or utilities; for a monetary order for damage to the unit, site or property; for an order permitting the landlord to keep all or part of the pet damage deposit or security deposit; and to recover the filing fee from the tenants for the cost of the application.

The landlord and both tenants attended the hearing. During the course of the hearing the parties agreed to settle this dispute on the following conditions:

1. The landlord will have an Order of Possession effective February 15, 2015 at 1:00 p.m. and the tenancy will end at that time;
2. The landlord withdraws the claim for unpaid rent for the month of February, 2015;
3. The landlord will keep the \$1,000.00 security deposit in partial satisfaction of the balance of the claim for unpaid rent, and the landlord will have a monetary order for the difference in the amount of \$1,500.00;
4. Since the tenancy has not yet ended, the landlord's application for a monetary order for damage to the unit, site or property is dismissed with leave to reapply.

Since the parties have settled this dispute, I decline to order that the landlord recover the filing fee from the tenants.

Conclusion

For the reasons set out above, I hereby grant an Order of Possession in favour of the landlord effective February 15, 2015 at 1:00 p.m. and the tenancy will end at that time.

I further order the landlord to keep the \$1,000.00 security deposit in partial satisfaction of the claim for unpaid rent and I grant a monetary order in favour of the landlord as

against the tenants pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$1,500.00.

The landlord's monetary claim for unpaid rent for the month of February, 2015 is hereby dismissed without leave to reapply.

The landlord's claim for a monetary order for damage to the unit, site or property is hereby dismissed with leave to reapply.

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: February 11, 2015

Residential Tenancy Branch

