



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNSD, RPP, AAT, MNR, FF

Codes: MN, SD

Introduction:

The landlord made a monetary claim for loss of rent and revenue as well as requested an Order for Possession pursuant to a Notice to End the Tenancy dated March 6, 2015. The tenant applied for: a monetary order for the value of property, access to the unit, return of her property.

Facts:

Both parties attended a conference call hearing. A tenancy began on May 01, 2014 with rent in the amount of \$ 1,900.00 plus \$ 150.00 for parking due in advance on the first day of each month. The tenant paid a security deposit totalling \$ 650.00 on May 1, 2014. The landlord deactivated the FOB prohibiting access to the unit on May 1, 2015 claiming that the tenant had arrears through May 2015.

Settlement:

The parties settled this matter and they have asked that I record the agreement pursuant to section 63(2) as follows:

- a. In satisfaction for all claims the landlord has for rent and parking arising from this tenancy the parties agree that the landlord will be permitted to retain the tenant's security deposit amounting to \$ 650.00,
- b. In satisfaction for all claims the landlord has for rent and parking arising from this tenancy the parties agree that the tenant shall pay the landlord the additional sum of \$ 850.00 by May 18, 2015,
- c. The landlord shall give the tenant access to her unit as of noon May 11, 2015 to remove all her belongings and clean or repair the unit,

- d. The landlord shall have an Order for Possession effective at 1:00 PM on May 18, 2015, and
- e. The tenant agrees to not make any further claims against the landlord for compensation for any wrongful eviction(s) including out of pocket expenses.

Conclusion:

As a result of the settlement I ordered that the landlord retain the tenant's security deposit amounting to \$ 650.00 and I granted the landlord a monetary Order in the amount of \$ 850.00 payable on May 18, 2015. This order may be filed in the Small Claims Court and enforced as an order of that Court. I granted the landlord an Order for Possession effective at 1:00 PM. That Order may be enforced in the Supreme Court of BC. I have dismissed the balance of the landlord's applications. I have dismissed with leave the tenant's applications. There shall be no order as to reimbursement of the filing fee to either party as it was not a term of the settlement.

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: May 11, 2015

Residential Tenancy Branch

