



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OPC

Introduction

This hearing dealt with cross applications. The tenant applied to cancel a 1 Month Notice to End Tenancy for Cause. The landlord applied for an Order of Possession for cause. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

During the hearing the parties reached a mutual agreement to resolve their dispute. I have recorded their mutual agreement by way of this decision and the Orders that accompanies it.

Issue(s) to be Decided

What are the terms of the mutual agreement?

Background and Evidence

The parties mutually agreed upon the following terms in resolution of their dispute:

1. The tenancy shall continue until July 31, 2015 at which time the tenant will return vacant possession of the rental unit to the landlord.
2. The landlord shall return the overpaid portion of the security deposit in the amount of \$375.00 to the tenant.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record a settlement agreement in the form of a decision or order.

I have accepted and recorded the mutual agreement reached by the parties during this hearing and make the terms an Order to be binding upon both parties.

In recognition of the mutual agreement I provide the landlord with an Order of Possession effective July 31, 2015.

I also provide a Monetary Order in the amount of \$375.00 to the tenant to ensure the landlord returns the overpaid portion of the security deposit to the tenant.

Conclusion

The parties reached a mutual agreement in resolution of their dispute. In recognition of the mutual agreement the landlord has been provided an Order of Possession effective July 31, 2015 and the tenant has been provided a Monetary Order in the amount of \$375.00 to ensure the landlord returns the overpaid portion of the security deposit to the tenant.

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: June 10, 2015

Residential Tenancy Branch

