



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR, MNR, CNC, MNDC, 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 and Utilities and a monetary Order for unpaid rent and utilities.

The female Landlord stated that on May 04, 2015 the Application for Dispute Resolution, the Notice of Hearing and documents the Landlord wishes to rely upon as evidence were sent to the Tenant, via registered mail. The Agent for the Tenant acknowledged that the Tenant received these documents, although she contends the documents the Landlord wishes to rely upon as evidence were posted on the Tenant's door. As the documents were received by the Tenant, they were accepted as evidence for these proceedings.

The Tenant filed an Application for Dispute Resolution, in which the Tenant applied to cancel a Notice to End Tenancy for Cause, for a monetary Order for money owed or compensation for damage or loss, and to recover the fee for filing this Application for Dispute Resolution.

The Agent for the Tenant stated that on May 14, 2015 the Application for Dispute Resolution, the Notice of Hearing and documents the Tenant wishes to rely upon as evidence were sent to the Tenant, via registered mail. The Landlord acknowledged receipt of these documents and they were accepted as evidence for these proceedings.

Preliminary Matter

The Agent for the Tenant stated that she has authority to act on behalf of the Tenant in regards to this matter. The Tenant submitted a letter, dated May 07, 2015, in which she identified the Agent for the Tenant as her representative. On the basis of the letter and the testimony of the Agent for the Tenant, I find that she has the authority to represent the Tenant in these matters.

Issue(s) to be Decided

Is the Landlord entitled to an Order of Possession and to a monetary Order for unpaid rent and utilities, in the amount of \$647.57?

Is the Tenant entitled to compensation of \$2,813.23?

Background and Evidence

After considerable discussion, the Landlord and the Tenant mutually agreed to settle all of the issues in dispute in these Applications for Dispute Resolution under the following terms:

- the tenancy will end, by mutual agreement, on June 20, 2015;
- the tenant will fully vacate the rental unit by June 20, 2015;
- the landlord will receive an Order of Possession that gives them legal possession of the rental unit by June 20, 2015;
- the tenant will abandon the claim for \$2,813.23; and
- the landlord will abandon the claim for \$647.57.

Analysis

I find the issues in dispute in these Applications for Dispute Resolution were settled in accordance with the terms in the aforementioned settlement agreement.

Conclusion

On the basis of the aforementioned settlement agreement, I grant the Landlord an Order of Possession that is effective **at 1:00 p.m. on June 20, 2015**. 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: June 15, 2015

Residential Tenancy Branch

