



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

For the tenants: CNR OLC PSF FF
For the landlord: OPR MNR MNDC FF

Introduction

This hearing was convened as a result of the cross-applications of the parties for dispute resolution under the *Residential Tenancy Act* (the “Act”).

The tenants applied to cancel a 10 Day Notice to End Tenancy for Unpaid Rent Or Utilities (the “10 Day Notice”), for an order directing the landlord to comply with the *Act*, regulation or tenancy agreement, for an order directing the landlord to provide services or facilities required by the tenancy agreement or law, and to recover the cost of the filing fee.

The landlords applied for an order of possession for unpaid rent or utilities, for a monetary order for unpaid rent or utilities, for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement, and to recover the cost of the filing fee.

The tenants and landlord G.P. (the “landlord”) attended the hearing. The parties were affirmed, had the hearing process explained to them, and were given an opportunity to ask questions about the hearing process.

Settlement Agreement

During the hearing, the parties agreed to settle these matters, on the following conditions:

1. The parties agree that August 2015 rent of \$1,650 is owed to the landlords by the tenants.
2. As per #1 above, the parties agree that the tenants will pay **\$1,650** by **5:00 p.m. on September 22, 2015** to the landlords by Interac e-Transfer. The email address of the landlords was confirmed by the parties during the hearing.

3. The landlords agree that rent for September 2015 is waived as full compensation for the 2 Month Notice to End Tenancy for Landlord's Use of Property dated July 21, 2015 that was served on the tenants.
4. The parties agree that the tenancy will end on **September 30, 2015 at 1:00 p.m.**
5. The landlords are granted an order of possession effective September 30, 2015 at 1:00 p.m., which must be served on the tenants.
6. The landlords are granted a monetary order pursuant to section 67 of the *Act* in the amount of **\$1,650, which will be of no force or effect if**, the tenants pay the landlords in accordance with #2 above, and the payment is successfully received and deposited by the landlords.
7. The parties agree that the security deposit of \$800 will be dealt with in accordance with section 38 of the *Act*.
8. The parties agree with withdraw their respective applications in full as part of this mutually settled agreement.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

The landlords are granted an order of possession effective September 30, 2015 at 1:00 p.m., which must be served on the tenants. Should the landlords require enforcement of the order of possession, the tenants must first be served with the order of possession and then the landlords may file the order of possession in the Supreme Court of British Columbia for enforcement purposes.

The landlords are granted a monetary order pursuant to section 67 of the *Act* in the amount of \$1,650, which will be of no force or effect if the tenants pay the landlords in accordance with #2 above. Should the landlords require enforcement of the monetary order, the landlords must serve the tenants with the monetary order, and the monetary order may be filed in the Provincial Court (Small Claims) and enforced as an order of that court.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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: September 22, 2015

