



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes:

CNC, OPC, MNSD, MNDC, FF

Introduction

This hearing was convened in response to cross-applications by the parties pursuant to the *Residential Tenancy Act* (the Act) in respect to a 1 Month Notice to End Tenancy for Cause, the tenancy deposits and loss.

Both parties attended the hearing and provided their testimony. The parties acknowledged receiving the evidence of the other.

The tenancy started March 01, 2015 and the payable rent is \$1650.00 per month. The parties agreed that the landlord holds a security deposit and a pet damage deposit in the sum amount of \$1650.00.

During the course of the hearing the parties discussed their dispute and agreed to settle their issues in dispute to the full satisfaction of both parties, and that I record their settlement as per Section 63 of the Residential Tenancy Act, as follows:

1. the tenant and landlord agree that **this tenancy will end *no later* than October 31, 2015**, and the landlord will receive an **Order of Possession** effective **October 31, 2015**, and
2. the parties agree that the landlord will return to the tenant their security deposit and pet damage deposit in the sum of **\$1650.00** on or before the end of the tenancy, and the tenant will receive a **Monetary Order** in the agreed amount of **\$1650.00**. If the landlord returns the deposits as agreed, the Order becomes *null and of no effect*.
3. Both parties acknowledge it remains available to the landlord to file for dispute resolution if at the end of the tenancy they have proof the rental unit is left damaged - attributable to the tenant or occupants of the tenancy.

So as to perfect this settlement agreement, **I grant** the landlord an **Order of Possession, effective October 31, 2015**. The tenant must be served with this Order. If the landlord serves the Order of Possession on the tenant and the tenant fails to comply with the order, the Order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

So as to further perfect this settlement agreement, **I grant** the tenant a **Monetary Order** under Section 67 of the Act for the amount of **\$1650.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

This Decision and Settlement Agreement is final and binding on both parties.

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: October 13, 2015

Residential Tenancy Branch

