



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Vancouver Eviction Services
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

OPR, MNR, MNSD, MNDC, FF

Introduction

This hearing was convened in response to the Landlords' Application for Dispute Resolution, in which the Landlords applied for an Order of Possession for Unpaid Rent, a monetary Order for unpaid rent, a monetary Order for money owed or compensation for damage or loss, to retain all or part of the security deposit, and to recover the fee for filing this Application for Dispute Resolution.

The Agent for the Landlords stated that on September 08, 2015 the Application for Dispute Resolution and the Notice of Hearing were served to both Tenants, via registered mail. Both Tenants stated they had received notice they had registered mail. The Tenant with the initials "G.C." stated that she picked up the registered mail, at which time she received the documents sent by the Landlord. The Tenant with the initials "P.M." stated that she did not pick up the registered mail that had been sent to her but she has viewed the documents served to her co-tenant. I find that these documents have been served to both Tenants in accordance with section 89 of the *Residential Tenancy Act (Act)*.

On September 10, 2015 the Landlords submitted a Letter of Authorization and a copy of the Ten Day Notice to End Tenancy to the Residential Tenancy Branch. The Agent for the Landlords stated that these documents were served to the Tenants with the Application for Dispute Resolution. The Tenant with the initials "G.C." acknowledged receipt of these documents and they were accepted as evidence for these proceedings.

On September 10, 2015 the Landlords submitted a Proof of Service and Canada Post documentation to the Residential Tenancy Branch. The Agent for the Landlords stated that these documents were not served to the Tenants. As they were not served to the Tenants they were not accepted as evidence for these proceedings.

On October 06, 2015 the Tenants submitted several documents to the Residential Tenancy Branch. The Tenant with the initials "P.M." stated that these documents were not served to the Landlords. As they were not served to the Landlords they were not accepted as evidence for these proceedings.

Issue(s) to be Decided

Is the Landlord entitled to an Order of Possession for unpaid rent; to a monetary Order for unpaid rent/loss of revenue; and to keep all or part of the security deposit?

Background and Evidence

Shortly after the hearing commenced the Landlord and the Tenants mutually agreed to settle this dispute under the following terms:

- the tenancy will end, by mutual consent, on December 31, 2015;
- the Tenants will pay \$800.00 in rent to the Landlord for November and December of 2015; and
- the Landlord will retain \$175.00 from the Tenants' security deposit in compensation for unpaid rent.

Analysis

This Application for Dispute Resolution has been settled by the parties.

Conclusion

On the basis of the settlement agreement, I grant the Landlord an Order of Possession that is effective at 1:00 p.m. on December 31, 2015. This Order may be served on the Tenants, filed with the Supreme Court of British Columbia, and enforced as an Order of that Court.

This agreement is recorded 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 08, 2015

Residential Tenancy Branch

