



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, CNC, FF (Tenant's Application)  
OPR, OPC, FF

### Introduction

This hearing convened as a result of cross applications. In the Tenant's Application for Dispute Resolution they sought to cancel a Notice to End Tenancy issued for cause on August 26, 2015 and a Notice to End Tenancy for Unpaid Rent and to recover the filing fee. The Landlord sought an Order of Possession based on the Notices issued as well as a Monetary Order for unpaid rent and to recover the filing fee.

Both parties appeared at the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

### Agreement

During the hearing the parties resolved all matters by mutual agreement. Pursuant to section 63 of the *Residential Tenancy Act* I record their agreement in this my Decision and resulting Orders.

The terms of the parties' agreement are as follows:

1. The Tenants shall vacate the rental unit by no later than 1:00 p.m. on November 15, 2015.
2. The Landlords shall be entitled to an Order of Possession effective 1:00 p.m. on November 15, 2015.
3. The Landlord shall be authorized to retain the Tenants' security deposit of \$700.00 and shall apply these funds to the November 2015 rent.

4. On or before 1:00 p.m. on November 15, 2015 the Tenants shall pay the sum of \$1,475.00 to the Landlord. This sum represents the October rent in addition to the \$25.00 balance owing for November 2015. The Landlords are entitled to a Monetary Order for this sum and may file and enforce the Monetary Order in the B.C. Provincial Court (Small Claims division ) should the Tenants fail to pay as agreed.
5. The parties shall conduct a move out condition inspection of the rental unit on or before 1:00 p.m. on November 15, 2015.
6. The Landlord is at liberty to apply for a further monetary Order and may make a claim for the balance of the November 2015 rent from the Tenant if the rental unit is not re-rented by November 15, 2015.
7. The parties agree that the Landlords may give the Tenants 12-hours notice for any showings of the rental unit to prospective renters.
8. Neither party shall recover the fee paid to file their respective applications.

#### Conclusion

The parties resolved matters by mutual agreement. The terms of the agreement are contained within this my Decision and the Monetary Order and Order of Possession made this date.

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: November 03, 2015

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Residential Tenancy Branch

