



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPL, FF

Introduction

This hearing convened as a result of a Landlord's Application for Dispute Resolution wherein the Landlord sought an Order for Possession based on a 2 Month Notice to End Tenancy for Landlord's use 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 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.

At the outset of the hearing the parties advised that an agreement had been reached as to the date the Tenant will vacate the rental unit. Further discussions during the hearing resulted in a comprehensive settlement. Pursuant to section 63 of the *Residential Tenancy Act*, I record the parties' settlement in this my Decision and resulting Orders. I make no findings of fact or law with respect to the Landlord's application.

Settlement

The parties agreed as follows:

1. The Tenant shall vacate the rental unit by no later than 1:00 p.m. on November 30, 2015;
2. The Landlord shall be entitled to an Order of Possession effective 1:00 p.m. on November 30, 2015. The Order of Possession must be served on the Tenant and may be filed in the B.C. Supreme Court and enforced as an Order of that Court.

3. Upon the Tenant vacating the rental unit, the Landlord shall pay to the Tenant **\$657.56** as payment of the following:
 - a. \$440.00, representing the Tenant's 1 month compensation pursuant to section 51 of the *Residential Tenancy Act*; and
 - b. \$200.00, representing the Tenant's security deposit paid January 1, 2000; and
 - c. \$17.56, representing the interest accrued on the Tenant's security deposit.

And the Tenant is granted a Monetary Order under section 67 for this sum and this Order may be filed in the B.C. Provincial Court (Small Claims) and enforced as an order of that Court.

4. The Landlord shall not recover the fee paid to file his application.

Conclusion

The parties reached a comprehensive settlement whereby: the Tenant agrees to vacate the rental unit by November 30, 2015; the Landlord is entitled to an Order of Possession effective November 30, 2015; and, the Tenant is entitled to a Monetary Order in the amount of \$657.56

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 19, 2015

Residential Tenancy Branch

