



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes For the tenants: RP, CNC, MT
For the landlords: MNSD, OPB, OPC, OPR, MNDC, MNR, FF

Introduction

This hearing was convened as the result of the applications for dispute resolution under the Residential Tenancy Act (the “Act”) by each party.

The tenants applied for an order requiring the landlords to make repairs to the rental unit, seeking an order cancelling the landlord’s 1 Month Notice to End Tenancy for Cause (the “1 Month Notice”), and for an order granting more time to make an application to cancel a notice to end tenancy.

The landlords applied for authority to retain the tenants’ security deposit, an order of possession due to an alleged breach by the tenant of an agreement with the landlords, an order of possession for the rental unit pursuant to the 1 Month Notice, an order of possession pursuant to a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “10 Day Notice”) issued by the landlord, a monetary order for money owed or compensation for damage or loss and unpaid rent, and for recovery of the filing fee paid for this application.

The parties appeared and each submitted some of their respective positions.

Thereafter a mediated discussion ensued and the parties agreed to resolve their differences and that I would record their settlement as below:

Settled Agreement

The tenants and the landlords agreed to the following terms and conditions:

1. The tenants agree to vacate the rental unit by 1:00 p.m. on February 1, 2016;
2. The landlords agree that the tenancy will continue until February 1, 2016, at 1:00 p.m.;
3. The tenants understand the landlords are being issued an order of possession for the rental unit, based upon the settled agreement, and that if the tenants fails to vacate the rental unit by 1:00 p.m., February 1, 2016, the

landlord may serve the order of possession on the tenant and obtain a writ of possession;

4. The tenants agree that the landlords are owed unpaid rent of \$1875.00 for the months of November and December 2015, and January 2016;
5. The tenants agree that the landlords may retain their security deposit of \$375.00, and that the landlords are being issued a monetary order for the balance due in the amount of \$1500.00;
6. The landlords agree to allow the tenants 30 days prior to seeking enforcement of the monetary order in order to obtain the rental funds from income assistance; and
7. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the parties' respective applications and that no finding is made on the merits of either application for dispute resolution.

Conclusion

The tenants and the landlords have reached a settled agreement as recorded.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

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: January 20, 2016

Residential Tenancy Branch

