



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes LANDLORD: OPL, MNR, FF, O
TENANT: CNL, MT, MNDC, RR, FF

Introduction

This hearing dealt with cross applications for Dispute Resolution filed by both the Landlord and the Tenant.

The Landlord filed seeking an Order of Possession, a monetary order for unpaid rent and utilities and to recover the filing fee for this proceeding.

The Tenant filed to obtain an order to cancel the Notice to End Tenancy, for compensation for loss or damage under the Act, regulations or tenancy agreement and for a rent reduction.

Service of the hearing documents by the Landlord to the Tenant were done by registered mail March 16, 2016 in accordance with section 89 of the Act. The Tenant said she did not pick up the registered mail from the Landlord, but she is prepared to continue the hearing without the Landlord's application and hearing package.

Service of the hearing documents by the Tenant to the Landlord were done by registered mail on February 19, 2016 in accordance with section 89 of the Act.

Issues to be Decided

Landlord:

1. Is the Landlord entitled to end the tenancy and receive an Order of Possession?
2. Is there unpaid rent and utilities and if so how much?
3. Is the Landlord entitled to compensation for unpaid rent and if so how much?

Tenant:

1. Is the Tenant entitled to an order to cancel the Notice to End Tenancy?
2. Is there loss or damage to the Tenant and if so is the Tenant entitled to compensation for loss or damage?
3. Is the Tenant entitled to a rent reduction?

During the course of the hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. the Landlord and Tenant agreed to end the tenancy on April 30, 2016.
2. the Landlord and Tenant agreed that if the Tenant pays the April, 2016 rent of \$1,100.00 both parties agree this payment is full satisfaction of both the Landlord's application and Tenant's applications.
3. the Tenant agrees to move out of the rental unit by 1:00 p.m. on April 30, 2016.
4. the Landlord will receive an Order of Possession with an effective vacancy date of April 30, 2016 and a monetary Order for \$1,100.00 which represents the April, 2016 rent payment.

Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 of the Act the Landlord and the Tenants agreed to the above arrangement.

As no further action is required on this file, the file is closed.

Conclusion

The Parties agreed to end the tenancy on April 30, 2016 as per the above arrangement.

An Order of Possession effective April 30, 2016 and a Monetary Order in the amount of \$1,100.00 have been issued to the Landlord. A copy of the Orders must be served on the Tenant: the Order of Possession may be enforced in the Supreme Court of British Columbia and the Monetary Order may be enforced in the Provincial (Small Claims) Court of British Columbia.

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: April 05, 2016

Residential Tenancy Branch