



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding NAV HOLDINGS C/O ROCKWELL MANAGEMENT  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPR, MNR

### Introduction

This hearing was scheduled to deal with a landlord's application for an Order of Possession and Monetary Order for unpaid rent. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

During the hearing, the parties reached a settlement agreement in resolution of this matter. I have recorded the agreement by way of this decision and the order that accompanies it.

### Issue(s) to be Decided

What are the terms of the settlement agreement?

### Background and Evidence

During the hearing the parties agreed to the following terms in resolution of this matter:

1. The tenant will return peaceable, vacant possession of the rental unit to the landlord by 4:00 p.m. on October 2, 2016.
2. The landlord is authorized and shall retain the tenant's security deposit and pet damage deposit, totalling \$1,200.00, in full satisfaction of any unpaid and/or loss of rent for the period up to and including the month of September 2016.
3. The landlord waives entitlement to further pursue the tenant for unpaid and/or loss of rent from the tenant for the period up to and including the month of September 2016.

### Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record a settlement agreement in the form of a decision or order.

I have accepted and recorded the settlement agreement reached by the parties during this hearing and make the terms an Order to be binding upon both parties.

In recognition of the agreement reached by the parties, I provide the landlord with an Order of Possession effective at 4:00 p.m. on October 2, 2016.

By way of this decision, the landlord is authorized to retain the tenant's security deposit and pet damage deposit in full satisfaction of any unpaid and/or loss of rent for the period up to and including September 2016 and the landlord is now precluded from pursuing the tenant for any unpaid and/or loss of rent for the period up to and including the month of September 2016.

### Conclusion

The parties reached a mutual agreement in resolution of this matter that I have recorded in this decision. In recognition of the mutual agreement, the landlord has been provided an Order of Possession effective at 4:00 p.m. on October 2, 2016. The landlord has also been authorized to retain the tenant's security deposit and pet damage deposit in full satisfaction of any unpaid and/or loss of rent for the period up to and including September 2016.

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: September 28, 2016

---

Residential Tenancy Branch