



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding RAFTER G INVESTMENTSLTD., INC.NO BC 0627389,  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPL, MND, MNR, MNSD, MNDC

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlords for an order of possession, for a monetary order for unpaid rent, for damages to the unit, for money owed or compensation for damage under the Act, to retain the security deposit in partial satisfaction of the claim and to recover the filing fee from the tenants.

Both parties appeared.

### Preliminary matter

In this case, the parties agreed that rental unit consists of two separate rental unit, rented under separate agreements. Unit "A" is rented to the tenants KM and JM. Unit "B" is rented to the tenant CK. Although under normal circumstances separate tenancy are not heard together. However, in the case the parties agreed that these matters are to be heard together.

The parties agreed there is no outstanding rent for either rental unit.

### Settlement

During the hearing the parties agreed to settle these matters, on the following conditions:

#### Unit "A"

- 1) The parties agreed that the tenants KM and JM will vacate the rental unit on December 1, 2016;
- 2) The parties agreed that the tenants KM and JM are entitled to withhold November 2016 rent, as that is compensation for receiving a notice to end tenancy pursuant to section 49 of the Act;
- 3) The landlord and tenants KM and JM agreed that the landlord is entitled to retain their security deposit of \$400.00. That is comprised of \$350.00 for yard work and

\$50.00 to share the cost of the filing fee( the tenants are entitled to the interest of \$2.74); and

- 4) The parties agreed to meet at the rental unit on December 1, 2016, at 1:00pm to complete the move-out condition inspection.

#### Unit "B"

- 1) The tenant CK agreed to vacate the rental unit on December 1, 2016;
- 2) The parties agreed that the tenant CK is entitled to withhold November 2016 rent, as that is compensation for receiving a notice to end tenancy pursuant to section 49 of the Act;
- 3) The parties agreed to meet at the rental unit on December 1, 2016, at 1:00pm to complete the move-out condition inspection; and
- 4) The security deposit and interest will dealt with in accordance with the Act.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

#### Conclusion

As a result of the above settlement, the landlord is granted an order of possession for each of the subject rental units on the agreed upon 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: October 26, 2016

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Residential Tenancy Branch