



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This was the landlord's application, filed January 5, 2017 under the *Residential Tenancy Act* (the "Act"), seeking an order of possession for unpaid rent, a monetary order for unpaid rent, authorization to retain the security and pet damage deposits, and authorization to recover the filing fee (the "Application").

Both the landlord and the male tenant attended the hearing. Both gave sworn testimony. Both advised that the female tenant named on the landlord's application had not lived in the rental unit since approximately August of 2016. Both further stated that they had intended to amend the tenancy agreement to remove her as a party. I have amended the style of cause accordingly.

Settlement

At the beginning of the hearing the parties were advised that, although there was no obligation to resolve the dispute through settlement, I could assist them to reach an agreement, and that any agreement would be documented in my decision pursuant to section 63 of the Act.

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The landlord withdraws his Application.
2. The parties agree that the tenancy ended on December 31, 2016 by mutual agreement.
3. The tenant agrees that the landlord will retain the security and pet damage deposits in full satisfaction of the landlord's claim for unpaid rent.

4. The tenant agrees to pay the landlord \$100.00, representing the application filing fee, no later than February 10, 2017.
5. The tenant further agrees to provide the landlord with the receipts for the cost of painting the rental unit, amounting to approximately \$600.00, no later than February 10, 2017.

Conclusion

The parties are bound by the terms of this agreement and the Act. Should either party violate the terms of this agreement, is open to the other party to take steps under the Act to apply for monetary compensation or other orders under the Act.

Dated: January 30, 2017

Residential Tenancy Branch