



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OLC, MNDC

### Introduction

This hearing convened as a result of the Tenants' Application for Dispute Resolution wherein the Tenants requested an Order that the Landlord comply with the *Residential Tenancy Act*, the *Residential Tenancy Regulation*, or the tenancy agreement, in addition to seeking monetary compensation in the amount of \$950.00.

The hearing was conducted by teleconference on February 9, 2017. Both parties called into the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

The Tenants monetary claim in the within hearing, which B.A. testified represented a claim for return of their security deposit and pet damage deposit is premature as the tenancy has yet to end; this claim is therefore, dismissed with leave to reapply

During the hearing the parties resolved matters by mutual agreement. The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. As the parties resolved matters by agreement I make no findings of fact or law (save and except for my finding that the Tenants' monetary claim is premature) with respect to their relative claims. The terms of their settlement follow.

### Settlement and Conclusion

1. The Tenants agree to vacate the rental unit by the effective date of the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities issued February 2, 2017; accordingly, the tenancy shall end and the Tenants shall vacate the rental unit by no later than 1:00 p.m. on February 12, 2017.

2. The Landlord is granted an Order of Possession effective 1:00 p.m. on February 12, 2017. The Landlord must serve the Order on the Tenants as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court.
3. The Tenant, B.A., and the Landlord will meet at the rental unit on February 12, 2017 at 1:00 p.m. in order to complete the move out condition inspection report.
4. The Landlord will make his best efforts to re-rent the rental unit as soon after the tenancy ends as is possible.
5. The parties agree that the Tenants provided their forwarding address to the Landlord during the hearing on February 9, 2017.

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: February 09, 2017

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Residential Tenancy Branch