



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNR, FF, MNDC, ERP, RP, PSF, LRE, LAT, AS, RR

Introduction

This hearing was convened in response to cross applications.

The Landlord filed an Application for Dispute Resolution in which the Landlord applied for an Order of Possession for Unpaid Rent or to recover the fee for filing this Application for Dispute Resolution.

The Tenant filed an Application for Dispute Resolution in which the Tenant applied for a monetary Order for money owed or compensation for damage or loss; for the return of the security deposit; to recover the cost of emergency repairs; for an Order requiring the Landlord to provide services and to make repairs; for an Order suspending or limiting the Landlord's right to enter the rental unit; for an Order allowing access to the rental unit; and for authority to change the locks.

As this tenancy has not yet ended I find that the Tenant's application for the return of the security deposit is premature and this claim will not, therefore, be considered at these proceedings.

Issue(s) to be Decided

Is the Landlord entitled to an Order of Possession?

Is the Tenant entitled to a monetary Order?

Is there a need to issue an Order requiring the Landlord to provide services; to make repairs; or to provide access to the rental unit?

Is there a need to suspend or set limits on the Landlord's right to enter the rental unit or to authorize the Tenant to change the locks.

Background and Evidence

Both parties denied receiving an Application for Dispute Resolution or evidence from the other party. The parties were advised of the issues in dispute at these proceedings, as listed in the "Issues to be Decided" section of this decision.

After considerable discussion the Landlord and the Tenant mutually agreed to settle all issues listed in the "Issues to be Decided" section of this decision, under the following terms:

- the Tenant will move out by April 30, 2017;
- neither party is required to pay money to the other party for any currently known debt or obligation related to this this tenancy; and
- the Tenant will give a key to the Agent for the Landlord by the end of the day on April 03, 2017.

The parties acknowledged that they were voluntarily entering into this settlement agreement and that they understood it was a final and binding legal agreement.

The Tenant acknowledged that he understood the Landlord would receive an Order of Possession on the basis of this settlement agreement, which is effective on April 30, 2017.

Analysis

The Landlord and the Tenant have mutually agreed to settle this dispute in accordance with the aforementioned terms.

Conclusion

On the basis of the settlement agreement I grant the Landlord an Order of Possession that is effective 1:00 p.m. on April 30, 2017. This Order may be served on the Tenant, filed with the Supreme Court of British Columbia, and enforced as an Order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: April 05, 2017

Residential Tenancy Branch