



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

For the tenants: CNR MNR MNDC OLC ERP RP RR FF
For the landlord: OPR MNR MNSD FF

Introduction

This hearing was convened as a result of the cross-applications of the parties for dispute resolution under the *Residential Tenancy Act* (the “Act”). The tenants applied to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, for the cost of emergency repairs, for money owed or compensation for damage or loss of \$10,000.00 under the Act, regulation or tenancy agreement, for an order directing the landlord to comply with the Act, regulation or tenancy agreement, to make emergency repairs for health or safety reasons, to make regular repairs to the rental unit, for a rent reduction, and to recover the cost of the filing fee. The landlord applied for an order of possession for unpaid rent or utilities, for a monetary order for unpaid rent or utilities, for authorization to keep all or part of the security deposit and pet damage deposit, and to recover the filing fee.

The tenants and the landlord attended the teleconference hearing and provided affirmed testimony. The parties had the hearing process explained to them and an opportunity to ask questions about the hearing process was provided to both parties.

During the hearing, the parties confirmed that they received evidence from the other party prior to the hearing and that they had the opportunity to review that evidence prior to the hearing. I find the parties were served in accordance with the Act.

Settlement Agreement

During the hearing, the parties agreed to settle the following matters related to this tenancy, on the following conditions:

1. The parties agree that the tenancy will end on **Sunday, August 20, 2017 at 5:00 p.m.**
2. The landlord is granted an order of possession **effective August 20, 2017 at 5:00 p.m.** The landlord must serve the tenants with the order of possession.
3. The parties agree that the tenants owe the landlord **\$4,000.00** in unpaid rent.
4. The parties agree that the tenants will pay a minimum of **\$200.00** per month to the landlord by e-transfer on or before the first day of each month beginning September 1, 2017 and continuing until such time that the full amount of \$4,000.00 has been paid in full by the tenants.
5. The landlord is granted a monetary order pursuant to section 67 of the *Act* in the amount of **\$4,000.00**, which will be of no force or effect if the amount owing has been paid by the tenants to the landlord in accordance with #4 above.
6. The parties agree to withdraw their respective applications in full as part of this settlement agreement.
7. The parties agree to waive their respective filing fees.
8. The parties agree that this mutually settled agreement represents a full and final settlement of all matters related to this tenancy with the exception of damages to the rental unit should damages occur as the tenants have not yet vacated the rental unit.
9. The parties agree that the tenants' security deposit and pet damage deposit have been surrendered in full to the landlord which has been accounted for in the \$4,000.00 amount owing described in #3 above.

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

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

The landlord has been granted an order of possession effective August 20, 2017 at 5:00 p.m. which must be served on the tenants and may be enforced in the Supreme Court of British Columbia.

The landlord has been granted a monetary order in the amount of \$4,000.00 which will be of no force or effect if the amount owing has been paid by the tenants in accordance with #4 above.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: August 15, 2017

Residential Tenancy Branch