



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes Tenant: CNR
Landlord: OPR

Introduction

This hearing dealt with an Application for Dispute Resolution (the “Application”) filed by the Tenant under the *Residential Tenancy Act* (the “Act”), for more time to make an application to cancel the Notice to end Tenancy and a cross Application from the Landlord for an Order of Possession.

The hearing was convened by telephone conference call and was attended by the Tenant, the agent for the Tenant (the “Tenant’s Agent”), and the agent for the Landlord (the “Landlord’s Agent”). All parties provided affirmed testimony.

Settlement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised on several occasions during the hearing that there is no obligation to resolve the dispute through settlement, but that pursuant to section 63 of the *Act*, I could assist the parties to reach an agreement, which would be documented in my decision and supporting orders.

During the hearing, the parties mutually agreed of their own free will to settle this matter as follows:

1. The Tenant agrees to vacate the rental property by 1:00 p.m. on September 21, 2017;
2. The Parties agree that the Tenant owes to the Landlord \$4,300.00 for rent and late fee’s;
3. The Parties agree that the Landlord will retain, in full, the Tenant’s \$787.50 security deposit, and \$787.50 pet damage deposit to offset the \$4,300.00 owed;
4. The parties agree that after the deduction of the deposits, the Tenant still owes to the Landlord, \$2,725.00;

5. The Tenant agrees they will provide the Landlord with a forwarding address in writing upon move-out;
6. The parties agree that the rental unit will be cleaned by the Tenant prior to move-out;
7. The parties agree that the Landlord may begin advertising the rental unit immediately for occupancy October 1, 2017, and that showings for the rental unit will begin no earlier than Monday September 18, 2017;
8. The parties withdraw their Applications in full as part of this mutually agreed settlement.

Conclusion

In support of the settlement described above, and with the agreement of the parties, I grant the Landlord an order of possession, effective at 1:00 pm on September 21, 2017. The Landlord is provided with **this Order** in the above terms and the Tenant must be served with **this Order** as soon as possible. Should the Tenant fail to comply with this Order, this Order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

In support of the settlement described above, and with the agreement of the parties, I grant the Landlord a Monetary Order in the amount of **\$2,725.00**. The Landlord is provided with **this Order** in the above terms and the Tenant must be served with **this Order** as soon as possible. Should the Tenant fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court 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 *Residential Tenancy Act*.

Dated: September 15, 2017

Residential Tenancy Branch