



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LMLTD HOLDINGS CORPORATION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes FFL OPC

Introduction

This Review Hearing was convened by way of conference call concerning an application made by the landlord for an Order of Possession for cause and to recover the filing fee from the tenants for the cost of the application. A Decision and an Order of the director, Residential Tenancy Branch dated April 11, 2018 were provided to the parties. The tenants were successful in obtaining this Review Hearing.

The landlord was represented at the Review Hearing by an agent and a property manager. One of the tenants also attended and represented the other tenant, during which the parties agreed to settle this dispute in the following terms:

1. the Decision of the director dated April 11, 2018 is varied and the landlord will have an Order of Possession effective July 15, 2018 at 1:00 p.m. and the tenancy will end at that time;
2. the tenant will ensure that rent for the month of June, 2018 is paid in full to the landlord as well as half a month's rent for July, 2018;
3. the landlord will keep \$100.00 of the security deposit held in trust as recovery of the filing fee, as ordered on April 11, 2018.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

Analysis

The *Residential Tenancy Act* says that following a Review Hearing, I may confirm, vary or set aside the original order(s). The parties agreed that the Decision and Order of Possession of the director, Residential Tenancy Branch be varied to change the

effective date of vacancy of the Order of Possession to July 15, 2018 at 1:00 p.m., and I so order.

The parties also agreed that the Decision be confirmed with respect to the \$100.00 filing fee being recovered by the landlord from the security deposit currently held in trust by the landlord.

I further order the tenant to ensure that rent is paid for the month of June, 2018 as well as half a month's rent for July, 2018 in accordance with the tenancy agreement.

Conclusion

For the reasons set out above, and by consent, I hereby order that the Decision and Order of Possession granted by the director, Residential Tenancy Branch dated April 11, 2018 are varied, and I hereby grant an Order of Possession in favour of the landlord effective July 15, 2018 at 1:00 p.m. and the tenancy will end at that time.

I further confirm the Decision of the director, Residential Tenancy Branch ordering that the landlord keep \$100.00 of the security deposit currently held in trust as recovery of the filing fee.

I further order the tenant to ensure that rent is paid for the month of June, 2018 as well as half a month's rent for July, 2018 in accordance with the tenancy agreement.

This order is final and binding and may be enforced.

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: June 26, 2018

Residential Tenancy Branch