



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes MNRL-S, OPR

Introduction

The landlord's application under the *Residential Tenancy Act* (the Act) sought to end the tenancy agreement for the cause of unpaid rent and to retain the tenants' security deposit.

Both parties attended the hearing and confirmed the landlord's 10 Day Notice to End Tenancy for Unpaid Rent dated July 3, 2018 and the landlord's retention of the security deposit are the primary issues to be dealt with.

Background and Evidence

The tenancy started in April 2001 and the current monthly rent of \$850 is due the first of the month; the landlord holds in trust a security deposit of \$362.50.

Section 63 of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, some discussion between the parties led to resolution of the relevant matters. As a result, the parties confirmed to me that they both agreed as follows:

1. That the tenancy will end no later than September 30, 2018 at midnight and the landlord will receive an Order of Possession effective no sooner than the agreed date.
2. That the agreed monetary term of this settlement is that the landlord will retain the tenants' security deposit. With interest, the security deposit has a value of \$383.02.

Both parties testified in the hearing confirming to me that they understood and agreed to the above terms, they were not coerced in any way to agree to this settlement and that

the settlement particulars comprise the full and final settlement of all aspects of this dispute.

So as to perfect this agreement, and in accordance with the terms of the settlement agreement, I grant and issue the landlord an Order of Possession to reflect the agreed end of tenancy date. If necessary, this Order may be filed in the Supreme Court and enforced as an Order of that Court.

Conclusion

The parties settled their dispute in the above terms.

This Decision and Settlement are final and binding.

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 13, 2018

Residential Tenancy Branch