



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding ROYAL LEPAGE MERRITT REAL ESTATE  
SERVICES and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      LANDLORD: OPR, MNR, FF  
TENANT: CNC, CNR

### Introduction

This hearing dealt with cross applications for Dispute Resolution filed by both the Landlord and the Tenants.

The Landlord filed seeking an Order of Possession, a monetary order for unpaid rent and to recover the filing fee for this proceeding.

The Tenants filed to obtain an order to cancel two the Notices to End Tenancy

Service of the hearing documents by the Landlord to the Tenants were done by personal delivery on July 10, 2019 in accordance with section 89 of the Act.

Service of the hearing documents by the Tenants to the Landlord were done by personal delivery on June 13, 2019 in accordance with section 89 of the Act.

Both parties confirmed the receipt of the other parties' hearing package.

### Issues to be Decided

Landlord:

1. Are the Landlords entitled to an Order of Possession?
2. Is there unpaid rent and if so how much?
3. Are the Landlords entitled to compensation for unpaid rent and if so how much?

Tenant:

1. Are the Tenants entitled to an order to cancel the Notices to End Tenancy?

During the course of the hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. the Landlord and Tenants agreed to end the tenancy on September 30, 2019 at 1:00 p.m.
2. the Tenant agreed to pay the August and September 2019 rent of \$1,150.00 for each month on time.
3. the Tenants agree to move out of the rental unit by 1:00 p.m. on September 30, 2019.
4. the Landlord will receive an Order of Possession with an effective vacancy date of 2 Days after service, but the Landlord agrees not to serve the order until September 30, 2019 unless the Tenant does not pay the August and September 2019 rent of \$1,150.00 on time.
5. further it was agreed by the Landlord and Tenant that the Landlord can retain \$100.00 of the Tenants' security deposit so that the Landlord can recover their filing fee of \$100.00.

Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 of the Act the Landlord and the Tenants agreed to the above arrangement.

As no further action is required on this file, the file is closed.

Conclusion

The Parties agreed to end the tenancy on September 30, 2019 as per the above arrangement.

The Landlord has received an Order of Possession.

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: July 23, 2019

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Residential Tenancy Branch