



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR
 OPR, MNRL, FFL

Introduction

This hearing was convened by way of conference call concerning applications made by the tenants and by the landlord. The tenants have applied for an order cancelling a notice to end the tenancy for unpaid rent or utilities. The landlord has applied as against 1 tenant for an Order of Possession and a monetary order for unpaid rent or utilities and to recover the filing fee from the tenant for the cost of the application.

The landlord attended the hearing with an agent. The tenant named in the landlord's application also attended with an Advocate. The tenant advised that the other tenant named in the tenant's application no longer resides in the rental unit.

During the hearing the parties agreed to settle this dispute in the following terms:

1. the landlord will have an Order of Possession effective at 1:00 p.m. on January 18, 2021 and the tenancy will end at that time;
2. the landlord will keep the \$1,050.00 security deposit in partial satisfaction of the landlord's claim for unpaid rent; and
3. the landlord will have a monetary order for the balance due in the amount of \$9,712.50 ($\$10,762.50 - \$1,050.00 = \$9,712.50$).

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.

Since the parties have settled this dispute, I decline to order that either party recover the filing fee.

Conclusion

For the reasons set out above, and by consent, I hereby grant an Order of Possession in favour of the landlord effective at 1:00 p.m. on January 18, 2021.

I hereby order the landlord to keep the \$1,050.00 security deposit and I grant a monetary order in favour of the landlord as against the tenant pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$9,712.50.

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: January 08, 2021

Residential Tenancy Branch