



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, FFT, OLC, LRE
 MNRL-S, MNDL-S, FFL

Introduction

This hearing convened as a result of Cross Applications. In the Tenant's Application filed on January 14, 2021, and amended February 12, 2021, they sought to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities issued on February 11, 2021 (the "Notice"), an Order that the Landlords comply with the *Residential Tenancy Act* (the "Act"), the *Residential Tenancy Regulation* (the "Regulation") and/or the residential tenancy agreement, an Order restricting the Landlords' right to enter the rental unit and recovery of the filing fee. In the Landlords' Application for Dispute Resolution, filed on March 1, 2021, they sought monetary compensation from the Tenants, authority to retain their security deposit, and recovery of the filing fee.

The hearing of the parties Applications was scheduled for 1:30 p.m. on April 13, 2021. The Tenants, their daughter, H.P. and their legal representative, K.B. called into the hearing. The Landlord, M.O., and their legal representative, C.S. also called into the hearing.

Settlement and Conclusion

At the outset of the hearing the parties confirmed they had resolved all matters related to their respective Applications by mutual agreement. The terms of their agreement are recorded in a comprehensive settlement agreement signed March 31, 2021 (a copy of which was provided in evidence before me) (the "Agreement"). As the parties resolved matters by agreement, I make no findings of fact or law with respect to their relative claims.

Pursuant to the Agreement the Landlords are entitled to possession of the rental unit. During the hearing the parties confirmed it was their request that the Landlord be granted a formal Order of Possession in accordance with the Agreement.

I therefore grant the Landlords an Order of Possession, effective 5:00 p.m. on April 26, 2021, pursuant to sections 55 and 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. The Landlords must serve the Order on the Tenants as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme 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: April 13, 2021

Residential Tenancy Branch