



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PEMBERTON HOLMES LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes **OPC, FFL; CNC-MT, OLC, FFT**

Introduction

This cross-application hearing dealt with an application by the landlord under the *Residential Tenancy Act* (the *Act*) for the following:

- An order for possession under a One Month Notice to End Tenancy for Cause ("One Month Notice") pursuant to sections 47 and 55;
- An order requiring the tenant to reimburse the landlord for the filing fee pursuant to section 72.

This hearing also dealt with an application by the tenant under the *Residential Tenancy Act* (the *Act*) for the following:

- Cancellation of One Month Notice to End Tenancy for Cause ("One Month Notice") pursuant to section 47;
- An order requiring the landlord to comply with the Act pursuant to section 62;
- An order requiring the landlord to reimburse the tenant for the filing fee pursuant to section 72.

The parties attended. No issues of service were raised.

Before the end of the hearing, the parties agreed to settle the Applications for Dispute Resolution.

THE PARTIES AGREED:

1. The tenant and all occupants will vacate the unit by 5:00 pm on December 14, 2023, at which time the tenant will deliver peaceful possession to the landlord.
2. The tenant agreed to pay the landlord \$3,525.00 for outstanding rent.
3. The landlord may deduct the filing fee of \$100.00 from the security deposit.
4. The parties will deal with the issue of the balance of the security deposit at the time the tenant moves out.

To give effect to this settlement, I issue the following:

1. An Order of Possession effective 5:00 pm on December 14, 2023.
2. A Monetary Order in the amount of \$3,525.00 for outstanding rent.

These Orders may be filed and enforced in the Courts of the Province of BC.

The parties agreed the above constitute the settlement between them.

Conclusion

The applications are settled as set out above.

I issue an Order of Possession effective 5:00 pm on December 14, 2023, and a Monetary Order in the landlord's favor in the amount of \$3,525.00. These Orders may be filed and enforced in the courts of the Province of BC.

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: December 11, 2023

Residential Tenancy Branch