



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding ADVANCED PROPERTY MANAGEMENT & REAL  
ESTATE and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OFL, FFL

### Introduction

This hearing was convened by way of conference call concerning an application made by the landlords seeking an order of possession for a frustrated tenancy, and to recover the filing fee from the tenant for the cost of the application.

An agent for the landlord and the tenant attended the hearing, and the tenant was accompanied by an Advocate.

The parties each gave affirmed testimony and were given the opportunity to question each other and to give submissions.

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

1. the landlords will have an order of possession effective at 1:00 p.m. on December 31, 2023 and the tenancy will end at that time;
2. the tenant will have a monetary order in the amount of \$4,000.00 comprised of:
  - a. \$500.00 recovery of the security deposit, without an inspection at the end of the tenancy;
  - b. \$500.00 recovery of the pet damage deposit, without an inspection at the end of the tenancy;
  - c. 2 months' rent compensation at \$1,000.00 per month; and
  - d. \$1,000.00 for loss of quiet enjoyment and moving expenses.

The parties confirmed that this settlement is in full satisfaction of any and all claims between the parties with respect to this tenancy.

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.

I grant an order of possession in favour of the landlord effective at 1:00 p.m. on December 31, 2023. The tenant must be served with the order of possession, which may be filed in the Supreme Court of British Columbia for enforcement.

I further grant a monetary order in favour of the tenant as against the landlords in the amount of \$4,000.00. The landlords must be served with the order which may be filed in the Provincial Court of British Columbia, Small Claims division as an order of that Court.

Since the parties have settled this dispute, I decline to order that the landlords recover the filing fee from the tenant.

### 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 December 31, 2023 and the tenancy will end at that time.

I hereby grant a monetary order in favour of the tenant as against the landlords pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$4,000.00, by consent.

I further order that this settlement is in full satisfaction of any and all claims between the parties with respect to this tenancy.

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: December 19, 2023

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Residential Tenancy Branch