



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes:

OPR, MNR, FF

Introduction

This hearing was scheduled in response to the Landlord's Application for Dispute Resolution, in which the Landlord has made application for an Order of Possession for Unpaid Rent, a monetary Order for unpaid rent and utilities, to retain all or part of the security deposit, and to recover the filing fee from the Tenants for the cost of this Application for Dispute Resolution. The Agent for the Landlord withdrew the application for an Order of Possession, as the rental unit was vacated on April 21, 2009.

Both parties were represented at the hearing. They were provided with the opportunity to submit documentary evidence prior to this hearing, all of which has been reviewed, to present relevant oral evidence, to ask relevant questions, and to make relevant submissions to me.

Issue(s) to be Decided

The issues to be decided are whether the Landlord is entitled to a monetary Order for unpaid rent; to keep all or part of the security deposit; and to recover the filing fee from the Tenant for the cost of the Application for Dispute Resolution, pursuant to sections 38, 55, 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

The Landlord and the Tenants agree that this tenancy began on September 15, 2008 and that the monthly rent fluctuated depending on the number of people residing in the rental unit.

After considerable discussion about the amount of rent and utilities owing, the Landlord and the Tenants agreed that they wished to reach a settlement in this dispute. The Landlord and the Tenant agreed that all disputes relating this tenancy would be resolved once the Tenants paid the Landlord \$1,125.00. The Landlord and the Tenants agreed that neither party will file another Application for Dispute Resolution in relation to this tenancy.



Dispute Resolution Services

Page: 2

Residential Tenancy Branch
Ministry of Housing and Social Development

Conclusion

Based on the mutual agreement of both parties, I grant the Landlord a monetary Order for the amount of \$1,125.00. In the event that the Tenants do not comply with this Order, it may be served on the Tenants, filed with the Province of British Columbia Small Claims Court and enforced as an Order of that 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: May 14, 2009.

Dispute Resolution Officer