

## **DECISION**

Dispute Codes      CNR, ERP, FF  
                             OPR, MNR, FF

### Introduction

This matter dealt with an application by the Tenant to cancel a 10 Day Notice to End Tenancy for Unpaid Rent and Utilities, for an Order that the Landlords make emergency repairs and to recover the filing fee for this proceeding. The Landlords applied for an Order of Possession and a Monetary Order for unpaid rent and well as to recover the filing fee for this proceeding. At the beginning of the hearing the Tenant said that he moved out of the rental unit on May 31, 2010. As the tenancy has ended, I find that the Tenant's application (in its entirety) and the Landlords' application for an Order of Possession are unnecessary and accordingly they are dismissed without leave to reapply.

### Issues(s) to be Decided

1. Are there arrears of rent and if so, how much?

### Background and Evidence

The Parties agree that the Tenant had an agreement with the former manager of the manufactured home park (now deceased) to make repairs to a mobile home (at a rate of \$14.00 per hour) in which he resided in lieu of rent. The Landlords claimed that the Tenant was supposed to provide them in December 2009 with a list of his hours worked however he failed to do so. The Landlords also claimed that since December 2009, the Tenant has done little work on the rental unit and they sought to recover unpaid rent in the approximate amount of \$5,000.00. The Tenant argued that he only owed \$2,800.00 in unpaid rent.

### Analysis

The Parties agreed to settle this matter on the following terms:

1. The Tenant will return the keys for the rental unit to the Landlords at their office located in the mobile home park no later than 12:00 noon on June 1, 2010;
2. The Landlords will receive a monetary order for \$2,800.00 in full and final satisfaction of their claim for rent arrears; and

3. The Landlords will not seek to recover cleaning expenses for the rental unit or the filing fee for this proceeding from the Tenant.

### Conclusion

The Tenant's application is dismissed without leave to reapply. The Landlord's application for an Order of Possession is dismissed without leave to reapply. A Monetary Order in the amount of **\$2,800.00** has been issued to the Landlords and a copy of it must be served on the Tenant. If the amount is not paid by the Tenant, the Order may be filed in the Provincial (Small Claims) Court of British Columbia 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: June 01, 2010.

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Dispute Resolution Officer