



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

Landlord: OPR, OPL, MNR, FF
Tenant: CNR, CNL

Introduction

This hearing was convened by way of conference call to deal with an application filed by the landlord for an Order of Possession for unpaid rent or utilities; for an Order of Possession for landlord's use of property; for a monetary order for unpaid rent or utilities; and to recover the filing fee from the tenant for the cost of this application. The tenant has applied for an order cancelling a notice to end tenancy for unpaid rent and for an order cancelling a notice to end tenancy for landlord's use of property.

During the course of the hearing, the parties agreed to settle this dispute on the following conditions:

1. The landlord will have an Order of Possession effective July 31, 2011 at 1:00 p.m. and the tenant must vacate the rental unit by that date;
2. The tenant will not be required to pay rent for the months of June or July, 2011;
3. The landlord will return the security deposit to the tenant in the amount of \$162.50 forthwith.

Conclusion

For the reasons set out above, I hereby grant an Order of Possession in favour of the landlord effective July 31, 2011 at 1:00 p.m. If the landlord serves the Order of Possession on the tenant and the tenant fails to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

I further order that the tenant be permitted to remain in the rental unit until July 31, 2011 without the requirement of paying rent for the months of June, 2011 or July, 2011.

I further order the landlord to return the security deposit in the amount of \$162.50 to the tenant forthwith. If the landlord fails to return the security deposit to the tenant, the tenant will be at liberty to make a further application for dispute resolution.

Since the parties were able to settle this dispute, I decline to order that either party recover the filing fee for the costs of these applications.

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 28, 2011.

Residential Tenancy Branch