



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, MNDC, OLC, RP

This matter proceeded by way of a conference call hearing, pursuant to the *Residential Tenancy Act* (the "Act"), and dealt with the Tenants' Application for Dispute Resolution requesting to cancel the One Month Notice to End Tenancy for Cause, compensation for damage or loss, order the Landlord to make repairs to the rental unit and comply with the Act, Regulation, or tenancy agreement.

During the course of the hearing, the parties reached an agreement, pursuant to section 63 of the Act, to settle the issues raised in the Tenants' Application. The parties agreed to the following conditions:

1. The parties agreed that there are only two Tenants on the tenancy agreement for the rental unit and that those Tenants are DG and RS.
2. The One Month Notice to End Tenancy for Cause issued November 28, 2011 is cancelled.
3. The parties agree that the Tenants will vacate the rental unit, no later than 1:00 P.M. on April 30, 2012 and end the tenancy.
4. The Landlord is entitled to an order of possession on the rental unit, effective 1:00 P.M. April 30, 2012 and the tenancy will end.
5. The parties agree that Landlord will reimburse the Tenants for the security deposit of \$300.00 by paying this amount to the Tenants no later than December 23, 2011.
6. The Tenants are entitled to a monetary order for \$300.00 which the Tenants may serve on the Landlord and enforce in the Provincial (Small Claims) Court if the Landlord fails to pay the monetary amount as agreed upon above.
7. The Landlord agrees to comply with section 29 of the Act and issue a 24 hour Notice in accordance with the Act to the Tenants if there is a requirement to enter the rental unit, unless an emergency exists and the entry is necessary to protect life or property or the Landlord receives an order authorizing the entry under the Act.

I grant the Landlord an order of possession, effective 1:00 P.M. April 30, 2012. If the Landlord serves the order of possession on the Tenants and the Tenants fail 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 grant the Tenants a monetary order for \$300.00 representing the total amount of the security deposit the Landlord is holding. If the Tenants serve the monetary order on the Landlord and the Landlord fails to comply with the order, the order may be filed in the Provincial (Small Claims) 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: December 19, 2011.

Residential Tenancy Branch