



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR MNSD CNR MNDC OLC RP FF

Introduction

This hearing dealt with applications by the landlord and the tenant. The landlord applied for an order of possession, a monetary order and an order to retain the security deposit in partial compensation of his monetary claim. The tenant applied to cancel the notice to end tenancy, as well as for monetary compensation, an order that the landlord comply with the Act and an order for repairs.

At the outset of the hearing, I determined that the issue of the notice to end tenancy took precedence, and only heard evidence on that issue.

At the outset of the hearing the tenant stated that she was moving out of the rental unit on April 1, 2013. The landlord agreed to withdraw the portion of his application regarding an order of possession pursuant to the notice to end tenancy, on the basis that the tenancy will end on April 1, 2013.

As the parties reached a settlement regarding the end of the tenancy, I decline to award the tenant recovery of the filing fee for the cost of her application.

Conclusion

I grant the landlord an order of possession effective April 1, 2013. The tenant must be served with the order of possession. Should the tenant 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.

As the tenancy is ending, the portions of the tenant's application regarding an order for repairs and an order that the landlord comply with the Act are dismissed.

The monetary portions of both applications are dismissed with leave to reapply.

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: March 25, 2013

Residential Tenancy Branch

