



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding 2321 OKANAGAN HOLDINGS LTD  
WHITSTONE DEVELOPMENTS LTD  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNR, FF

### Introduction

This matter dealt with an application by the Tenants to cancel a Notice to End Tenancy for unpaid rent and to recover the filing fee for this proceeding.

The Tenants said they served the Landlords with the Application and Notice of Hearing (the “hearing package”) by registered mail on April 10, 2013. Based on the evidence of the Tenants, I find that the Landlords were served with the Tenants’ hearing package as required by s. 89 of the Act and the hearing proceeded with both parties in attendance.

During the course of the hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. the Tenants and the Landlords agreed the Tenants would move out of the rental unit by 1:00 p.m. on May 13, 2013.
2. the Landlord would receive an Order of Possession for the rental unit with and effective vacancy date of May 13, 2013.
3. the Tenants and the Landlords agreed that the Tenants would pay the Landlords \$3,500.00 as full settlement of the unpaid rent.
4. the Landlords would receive a monetary order in the amount of \$3,500.00 to support the agreement in point number 3.
5. the Tenants agreed they would clean the rental unit and property prior to moving out on May 13, 2013.

Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 of the Act the Landlords and the Tenants agreed to the above arrangement.

As no further action is required on this file, the file is closed.

Conclusion

The Parties agreed to end the tenancy on May 13, 2013 as per the above arrangement.

The Landlords have received an Order of Possession with an effective vacancy date of May 13, 2013 at 1:00 p. m.

The Landlords have received a monetary order for \$3,500.00.

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 06, 2013

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Residential Tenancy Branch