



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RP, ERP, CNR, MNDC

Introduction

This hearing was scheduled to deal with a tenant's application to cancel a 10 Day Notice to End Tenancy for Unpaid Rent; a request for monetary compensation from the landlord; and, repair orders.

Both parties appeared at the commencement of the hearing and stated they had reached a mutual agreement. The parties requested that I record the mutual agreement and make it binding.

I have recorded the mutual agreement by way of this decision and the Orders that accompany it.

Issue(s) to be Decided

What are the terms of the mutual agreement?

Background and Evidence

The parties mutually agreed upon the following terms:

1. By February 7, 2014 the tenant shall pay the landlord \$375.00 in satisfaction of the agreed upon rent due that is payable for February 2014.
2. The tenant shall vacate the rental unit no later than February 17, 2014.
3. The tenant is responsible for compensating the landlord for heating oil equivalent to 1/3 of an oil tank.
4. With respect to term 3. above, the parties shall determine a value for the oil and the tenant shall authorize the landlord to deduct this value from the security deposit at the end of the tenancy.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record a settlement agreement in the form of a decision or order.

I have accepted and recorded the mutual agreement reached by the parties during this hearing and make the terms an Order to be binding upon both parties.

In recognition of the mutual agreement I provide the landlord with an Order of Possession that is effective at 1:00 p.m. on February 17, 2014 to serve and enforce as necessary. I also provide the landlord with a Monetary Order in the amount of \$375.00 that may be served and enforced should the tenant fail to satisfy term no. 1 of the mutual agreement.

Conclusion

The parties resolved their dispute by way of a mutual agreement. Pursuant to the mutual agreement, I have provided the landlord with an Order of Possession to be effective February 17, 2014. I have also provided the landlord a Monetary Order in the amount of \$375.00 to serve and enforce if the tenant does not satisfy term no. 1 of the mutual agreement.

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: February 07, 2014

Residential Tenancy Branch

