



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

Landlord: OPC MNR FF
Tenants: PSF ERP DRI MNDC CNC

Introduction

This hearing dealt with cross Applications for Dispute Resolution filed by the parties under the *Residential Tenancy Act* (the “Act”).

The Landlord’s Application for Dispute Resolution was made on December 20, 2017 (the Landlord’s Application”). The Landlord applied for the following relief pursuant to the *Act*:

- an order of possession;
- a monetary order for unpaid rent or utilities; and
- an order granting recovery of the filing fee.

The Tenants’ Application for Dispute Resolution was made on December 5, 2017 (the “Tenants’ Application”). The Tenants applied for the following relief, pursuant to the *Act*:

- an order that the Landlord provide services or facilities required by the tenancy agreement or law;
- an order requiring the Landlord to make emergency repairs for health or safety reasons;
- an order relating to a disputed rent increase;
- a monetary order for money owed or compensation for damage or loss; and
- an order cancelling a notice to end tenancy for cause.

The Landlord attended the hearing in person and was accompanied by her husband, A.S. The Landlord was represented by an agent, S.A. A.B. attended the hearing on behalf of both Tenants, and was accompanied by her mother-in-law, M.W.

Settlement Agreement

At the outset of the hearing, the parties confirmed there was some agreement regarding the issues set out in their respective applications. The parties were advised there is no obligation to

resolve the dispute through settlement, but that I could assist the parties to reach an agreement, which would be documented in my Decision and attached orders.

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The parties agreed the tenancy will end on March 1, 2018, at 1:00 p.m.
2. The Tenants agreed to vacate the rental unit by March 1, 2018, at 1:00 p.m.
3. The Tenants agreed to pay the Landlord \$1,300.00 by March 1, 2018, at 1:00 p.m. (the "Settlement Payment"). The Settlement Payment was calculated by deducting the security deposit held by the Landlord from the outstanding rent (\$1,900.00 - \$600.00 = \$1,300.00). The Tenants agreed that the Landlord may retain the security deposit as described.
4. The parties agree this settlement agreement resolves all matters arising from the tenancy.

This agreement was reached in accordance with section 63 of the *Act*. As this agreement was reached through negotiation, I decline to award recovery of the filing fee to either party.

Conclusion

In support of the settlement, and with the agreement of the parties, I grant the Landlord an order of possession, which will be effective on March 1, 2018, at 1:00 p.m. The order of possession may be filed in and enforced as an order of the Supreme Court of British Columbia.

In support of the settlement, and with the agreement of the parties, I grant the Landlord a monetary order in the amount of \$1,300.00, which will be effective on March 1, 2018, at 1:00 p.m., if the Tenants have not made the Settlement Payment described above. The monetary order may be filed in and enforced as an order of the Provincial Court of British Columbia (Small Claims).

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 21, 2018

Residential Tenancy Branch