



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNRL-S, FFL
 CNR, OLC, FFT

Introduction

This hearing was convened by way of conference call concerning applications made by the landlords and by the tenants. The landlords have applied for an Order of Possession and a monetary order for unpaid rent or utilities; an order permitting the landlords to keep all or part of the pet damage deposit or security deposit; and to recover the filing fee from the tenants for the cost of the application. The tenants have applied for an order cancelling a notice to end the tenancy for unpaid rent or utilities; an order that the landlords comply with the *Residential Tenancy Act*, regulation or tenancy agreement; and to recover the filing fee from the landlords.

One of the named landlords attended the hearing and represented the other landlord. One of the tenants also attended, representing the other tenant, and clarified her surname.

During the course of the hearing, the parties agreed to settle this dispute in the following terms:

1. The landlords will have an Order of Possession effective at 1:00 p.m. on August 1, 2021 and the tenancy will end at that time;
2. The parties will participate in a move-out condition inspection on August 2, 2021 at a time to be arranged by the parties;
3. The landlords will have a monetary order in the amount of \$7,475.00;
4. The landlords will not keep the security deposit unless the tenants fail to provide a forwarding address within 1 year after the tenancy ends or the parties otherwise agree in writing;
5. Neither party will recover the filing fee from the other party.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

Conclusion

For the reasons set out above, and by consent, I hereby grant an Order of Possession in favour of the landlords effective at 1:00 p.m. on August 1, 2021 and the tenancy will end at that time.

I hereby grant a monetary order in favour of the landlords as against the tenants pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$7,475.00.

I hereby order the parties to participate in a move-out condition inspection on August 2, 2021.

The landlords' application for an order permitting the landlord to keep the security deposit is hereby dismissed with leave to reapply.

The applications of the parties for recovery of filing fees are hereby dismissed.

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: June 04, 2021

Residential Tenancy Branch