



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

DECISION AND REASONS

Dispute Codes: OPR, MNR, FF.

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for orders as follows:

- A monetary order for rent for November 2008, pursuant to Section 67;
- An order of possession pursuant to Section 55;
- An order to recover the cost of filing the Application for Arbitration pursuant to Section 72.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions. On the basis of the solemnly affirmed evidence presented at the hearing, a decision has been reached.

Issues to be decided

- Is the landlord entitled to an order of possession for unpaid rent?
- Is the landlord entitled to a monetary order to recover unpaid rent and the filing fee?

Background and Evidence

The landlord testified that the agreement between the two parties was one of a rent to purchase arrangement. The landlord had not submitted into evidence any documents to verify the terms of the agreement between the two parties. During the hearing, the landlord requested that the agent not be allowed to represent the landlord on the landlord's application, due to other differences.

During the hearing the landlord and tenants came to an agreement, the terms of which are as follows:

The tenant agreed to present a new offer to purchase the rental property to the landlord's lawyer and this offer will include specific dates for closing and possession. The landlord agreed to withdraw her application for an order of possession and a monetary order for rent and the filing fee.

Conclusion

Both parties came to an agreement and the landlord withdrew her application.

Dated January 07, 2009.

Dispute Resolution Officer