



Dispute Resolution Services

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

Decision

Dispute Codes: OPR, MND, MNR, MNSD, FF

Introduction

This hearing dealt with the landlord's application for an order of possession, a monetary order for unpaid rent / compensation for repair of damage to a door, retention of the security deposit in partial satisfaction of the claim, and recovery of the filing fee for this application. Both parties participated in the hearing and each gave affirmed testimony.

Issues to be Decided

- Whether the landlord is entitled to an order of possession
- Whether the landlord is entitled to a monetary order under the *Act*

Background and Evidence

The tenancy began on February 1, 2008. Rent in the amount of \$725.00 is payable in advance on the first day of each month. At the outset of the tenancy the landlord collected a security deposit from the tenants in the amount of \$350.00. Arising from a dispute between the parties, the tenants failed to pay rent for the months of November and December 2008. Subsequently, the landlord served the tenants with a 10 day notice to end tenancy.

During the hearing the parties respectfully afforded each other an opportunity to set out their views on matters related to the dispute.

Analysis

Pursuant to section 63 of the *Act*, the parties turned their minds to compromise and achieved a resolution of the dispute. Specifically, it was agreed as follows:

- i) that the tenants will undertake to pay rent in the total amount of \$850.00 for November and December 2008 combined, by no later than Friday, January 30, 2009.
- ii) that the tenants will undertake to pay rent for January 2009 in the full amount of \$725.00 by no later than Friday, January 16, 2009.
- iii) that the landlord will withdraw his application for an order of possession
- iv) that the parties will attempt to resolve between them the landlord's concern about damage to a door.

Pursuant to all of the above I grant the landlord a monetary order for \$1,575.00.

The parties agree that this settlement represents full and final resolution of all aspects of the dispute for both parties.

Conclusion

I hereby grant the landlord a monetary order under section 67 of the *Act* for \$1,575.00. Should the tenants fail to comply with the above agreement, this order must be served on the tenants and may be filed in the Small Claims Court and enforced as an order of that Court.

DATE: January 5, 2009

Dispute Resolution Officer