



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

Decision

Dispute Codes: MT, CLC

Introduction

I have been delegated the authority under Section 9.1 of the *Residential Tenancy Act* (the “Act”) to hear this matter and decide the issues.

Background and Evidence

The Tenancy started on March 1, 2004. The monthly rent is \$925.00 per month, due on the first day of each month. The Tenant paid a security deposit to the Landlord in the amount of \$435.00 on Feb 10, 2004. On May 31, 2009, the Tenant paid the Landlord ½ of the monthly rent for June, 2009, in the amount of \$426.50. The remainder of the rent for June, 2009, in the amount of \$426.50 remains outstanding.

This hearing dealt with an application by the Tenant to allow him more time to make his application to cancel a Notice to End Tenancy for Cause, and to cancel the Notice to End Tenancy for Cause.

The parties reached a mediated agreement at the Hearing, as follows:

1. The Landlord and the Tenant entered into a Mutual End of Tenancy Agreement, with an end of tenancy date of 1:00 p.m., June 30, 2009.
2. The Tenant will pay the Landlord the remainder of rent due for June, 2009, in the amount of \$462.50 by 6:30 p.m., June 1, 2009.
3. In the event the Tenant fails to pay the Landlord \$462.50 by 6:30 p.m., June 1, 2009, the Landlord is at liberty to enforce a Monetary Order in that amount.

4. In the event the Tenant pays the Landlord \$462.50 by 6:30 p.m., June 1, 2009, the Landlord agrees not to enforce the Monetary Order.

Analysis

On the basis of the agreement reached by the two parties I am issuing a Monetary Order which requires the Tenant to pay the Landlord \$462.50. In the event that the Tenant does not voluntarily comply with this Order, it may be filed with the Province of British Columbia Small Claims Court and enforced as an Order of that Court.

Conclusion

The Tenant's application is dismissed without leave to re-apply.

The parties entered into a mutual end of tenancy agreement, effective 1:00 p.m., June 30, 2009.

Based on the parties' agreement, I grant the Landlord a Monetary Order in the amount of \$462.50. In the event the Tenant fails to pay the Landlord the amount of \$462.50 by 6:30 p.m., June 1, 2009, this Order must be served on the Tenant and may be filed in the Provincial Court of British Columbia (Small Claims) and enforced as an Order of that Court.

June 1, 2009
