

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, MNSD, FF

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for an order of possession and for a monetary order for unpaid rent, and the filing fee. The landlord also applied to retain the security deposit. Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

At the start of the hearing, the landlord withdrew the portions of her application that dealt with an order of possession and to retain the security deposit. The landlord indicated that she would like to work with the tenant to set up a payment plan for the outstanding rent.

Issues to be decided

Is the landlord entitled to a monetary order to recover unpaid rent and the filing fee?

Background and Evidence

The tenancy started on May 01, 2007. The monthly rent is \$806.52 due in advance on the first of each month.

The landlord stated that the tenant owed \$7.72 for rent for May and has failed to pay rent for June and July 2009. However, since the landlord served the notice to end tenancy on the tenant, he has made payments in instalments for a total of \$1020.00. At this time the tenant owes \$625.76 in outstanding rent.

During the hearing the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the dispute resolution officer may assist the parties settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

During this hearing, the parties reached an agreement to settle their dispute. Specifically, it was agreed that the landlord would allow the tenancy to continue on condition that the tenant paid the outstanding rent in installments on the following dates:

July 17, 2009	\$100.00
July 24, 2009	\$250.00
July 31, 2009	\$250.00
August 07, 2009	\$250.00
August 14, 2009	\$250.00
August 21, 2009	\$250.00
August 28, 2009	\$250.00
September 01	\$688.80

These particulars comprise the full and final settlement of all aspects of this dispute for both parties.

Conclusion

The notice to end tenancy is set aside and the tenancy will continue.

Dated July 17, 2009.

Dispute Resolution Officer