

## **DECISION**

### **Dispute Codes:**

OLC

MNDC

ERP

### **SETTLEMENT AGREEMENT**

This Hearing dealt with an application by the Tenant for: a Monetary Order for compensation for damage or loss; an order that the Landlord comply with the Act; and an order for emergency repairs for health or safety reasons.

The Landlord testified that he had issued, and served the Tenant with, a 10 Day Notice to End Tenancy for Unpaid rent in the amount of \$1,260.00 on September 5, 2009. There was no security deposit paid to the Landlord.

During the course of the hearing, the parties reached an agreement to settle this matter, on the following conditions:

1. The Tenant withdraws her application;
2. The Landlord will not file an Application for Dispute Resolution for an Order of Possession based on the Notice to End Tenancy issued September 5, 2009. The Landlord will not file an Application for Dispute Resolution for a Monetary Order for unpaid rent to and including September, 2009.
3. The Landlord will accept the amount of \$1,060.00 in full and final payment for unpaid rent to and including September, 2009. The Tenant will pay the Landlord \$50.00 per month commencing October 1, 2009, and \$50.00 on the first of each and every month thereafter, until paid in full;
4. The Landlord will provide the Tenant with receipts for payments made by the Tenant under this settlement agreement;
5. The Tenant will give up vacant possession of the rental unit to the Landlord by 1:00 p.m., September 30, 2009;

6. If the Tenant does not make payments as set out above in paragraph 3, the Landlord will be at liberty to enforce the enclosed Monetary Order in Small Claims, subject to the terms of this agreement.

I enclose an Order of Possession, effective 1:00 p.m., September 30, 2009. If the Tenant fails to comply with the terms of this settlement agreement, the Order may be served on the Tenant and filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

I enclose a Monetary Order in favour of the Landlord in the amount of \$1,060.00. If the Tenant complies with the terms of this settlement agreement, the Monetary Order becomes of no force or effect. If the Tenant fails to comply with the terms of this settlement agreement, the Landlord may serve the Monetary Order on the Tenant. The Monetary Order may then be filed in the Provincial Court of British Columbia (Small Claims) and enforced as an Order of that Court for the balance then owing to the Landlord.

Dated: September 16, 2009.

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