



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, OPB, MNR, FF

Introduction

This hearing dealt with the landlord's application for an order of possession and a monetary order for unpaid rent.

Issues(s) to be Decided

The issues to be decided are whether the landlord is entitled to an Order of Possession for unpaid rent; to a monetary Order for unpaid rent; and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to sections 46, 55, 67, and 72 of the *Residential Tenancy Act (Act)*.

Conclusion

The landlord's agents confirmed that rent had been made current by the tenant's agent. The tenant is currently having some health issues and his agent has power of attorney providing him with authority to handle the tenant's affairs.

During the hearing the parties made the following settlement:

1. The landlord will cancel the 10 Day Notice to End Tenancy for Unpaid Rent;
2. The tenant, through his agent, will provide the landlord with 6 post dated rent cheques no later than the end of business on Monday, December 21, 2009.

I am issuing an order of possession to the landlord to be used only should the tenant or his agent fail to comply with the settlement.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: December 17, 2009.

Dispute Resolution Officer