

## **DECISION**

Dispute Codes      OPR MNR FF

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord to obtain an Order of Possession for unpaid rent, and a Monetary Order for unpaid rent and to recover the cost of the filing fee from the Tenant for this application.

Service of the hearing documents, by the Landlord to the Tenant, was served via registered mail. The Tenant confirmed receipt of the hearing package.

Both the landlord and tenant appeared, acknowledged receipt of evidence submitted by the other, gave affirmed testimony, were provided the opportunity to present their evidence orally, in writing, in documentary form, and to cross exam each other.

### Issues(s) to be Decided

Is the Landlord entitled to an Order of Possession for unpaid rent under section 55 of the *Residential Tenancy Act*?

Is the Landlord entitled to a Monetary Order for unpaid rent under section 67 of the *Residential Tenancy Act*?

### Analysis

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

1. the Landlord withdraws her application;
2. the Tenant will pay the Landlord \$64.00; and
3. in consideration for this mutual settlement the parties agree that no further claims will be made by either party whatsoever arising from this tenancy.

As this matter was settled, I decline to award the Landlord recovery of the filing fee for the cost of the application.

Conclusion

I HEREBY grant the Landlord a Monetary order in the amount of \$64.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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: February 24, 2010.

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Dispute Resolution Officer