

## **DECISION**

Dispute Codes      OPR MNR FF

### Introduction

This hearing dealt with a Review Hearing filed by the Tenant in response to the Landlord's application filed through the direct request process. The Tenant's review request was granted, the original orders dated May 21, 2010, were suspended, and the matter was reconvened to today's hearing.

The Landlord, the Landlord's Agent, and the Tenant appeared, gave affirmed testimony, were provided the opportunity to present their evidence orally, in writing, and in documentary form.

### Issues(s) to be Decided

Are the original Order of Possession and Monetary Order dated May 21, 2010, to be reinstated?

If not are new Orders to be issued in accordance with sections 55 and 67 of the *Residential Tenancy Act*?

### Background and Evidence

During the course of the hearing, the parties reached an agreement to settle this matter.

### Analysis

The settlement agreement was based on the following conditions:

1. the Landlord withdraws their application and agrees to forgo recovery of the \$50 filing fee for the cost of their application;

2. the Tenant will meet the Landlord or the Landlord's Agent at the rental unit on July 20, 2010, no later than 5:00 p.m., and will pay the Landlord or Agent \$700.00 in cash; and
3. if the Tenant does not pay the \$700.00 as listed above, the Landlord or Agent will serve an Order of Possession on the Tenant, and the tenancy will end effective immediately; and
4. if the Tenant does pay the \$700.00 as listed above, the Landlord or Agent will serve an Order of Possession on the Tenant, and the tenancy will end effective July 31, 2010 at 1:00 p.m.

### Conclusion

The Order of Possession dated May 21, 2010, is HEREBY CANCELLED and is of no force or effect.

The Monetary Order dated May 21, 2010, in the amount of \$1,510.00, is HEREBY CANCELLED and is of no force or effect.

A copy of the Landlord's decision will be accompanied by two Orders of Possession, one effective immediately upon service to the Tenant, and one effective July 31, 2010 at 1:00 p.m. upon service to the Tenant. The Orders may be filed with the Supreme Court and enforced as orders 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: July 19, 2010.

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Dispute Resolution Officer