Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes   OPR, MNR, FF

Introduction

This was an application by the Landlord for an Order of Possession, a Monetary Order for unpaid rent and to recover the filing fee for this proceeding.

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

1. the Tenant agreed to pay the Landlord $2,300.00 of rent arrears on or before September 30, 2010;
2. the Tenant will pay the remainder of the rent arrears $410.00 with the October, 2010 rent payment on October 1, 2010;
3. the Tenant acknowledges the Landlord's frustration with late rent payments and the Tenant agreed to pay the rent on time at the 1st of each month;
4. if the Tenant does not pay the amounts owed on the specified dates, the landlord will serve an order of possession on the tenant, and the tenancy will end.

I grant the landlord an order of possession, effective two days from service on the tenant. If the landlord serves the order of possession on the tenant and the tenant fails to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

Regarding the landlord's claims for a monetary order, I dismiss these portions of the landlord's application with leave to reapply. As the parties were able to settle the matter, I decline to award the landlord recovery of the filing fee for the cost of this application.

As no further action is required on this file, the file is closed.

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*.