



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes OPR, CNR, MNR, & FF

Introduction

This hearing dealt with cross applications by the parties. The landlord filed an application seeking an Order of Possession and a monetary claim due to unpaid rent. The tenants filed an application seeking to have the 10 day Notice to End Tenancy Due to Unpaid Rent set aside.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross examine the other party, and make submissions to me.

Opportunity to Settle Dispute:

Section 63 of the *Act* allows for parties to reach a mutual agreement to settle their dispute, with or without the assistance of the Dispute Resolution Officer. Section 63 and the rules of procedure also provide that if a settlement is reached, the terms of the settlement can be documented in a decision by the Dispute Resolution Officer and any Order issued in enforcement of a settlement has the same force and effect as an Order issued without the agreement of the parties.

The landlord and the tenants reached a mutual agreement to resolve their dispute. The terms of the agreement are as follows:

1. The tenants commit to pay the landlord the sum of **\$1,560.00** by **December 2, 2010 at 6:00 p.m.** for “use and occupancy” of the rental unit;
2. The tenants commit to pay the landlord the sum of **\$1,237.50** by **December 6, 2010 at 6:00 p.m.**;
3. If these two (2) payments are made the parties mutually agree to reinstate the tenancy agreement;
4. If these terms are satisfied the tenants will have paid all outstanding sums owed to the landlord and have paid their security deposit as required by the tenancy agreement; and

5. In the event that these terms are not met the tenancy will come to an end and by mutual agreement of the landlord and the tenant, the landlord will be issued an Order of Possession.

Conclusion

Pursuant to section 63 of the *Act* the parties have resolved their dispute by mutual agreement.

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 01, 2010.

Dispute Resolution Officer