



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord for an order of possession based upon a 10 Day Notice to End Tenancy for Unpaid Rent (the "Notice") issued by the Landlord, a monetary order for unpaid rent and to recover the filing fee.

Both parties appeared, and after brief testimony concerning the details of the tenancy and the Notice, which was entered into evidence, the parties announced an interest in resolving their differences and agreed to explore a settlement.

Issue(s) to be Decided

Is the Landlord entitled to an Order of Possession, a monetary order and to recover the filing fee?

Can the parties reach a mutual agreement to resolve this dispute?

Settled Agreement

After discussion, the Landlord and the Tenant agreed that this tenancy will continue upon the following terms and conditions:

- 1) The Tenant will pay the current amount of unpaid rent of \$3,754.42 by June 30, 2011;
- 2) The Tenant understands that the July 2011 rent of \$1,885.00 will also be due and owing as of July 1, 2011;
- 3) The Tenant understands the Landlord will be issued an order of possession, based upon the settled agreement, and that if the Tenant fails to pay the unpaid rent of \$3,754.42.00 on or before June 30, 2011, the Landlord may serve the Order of Possession on the Tenant and obtain a writ of possession;
- 4) The Tenant understands based upon the settled agreement, the Landlord will be issued a monetary order in the amount of \$3,754.42;

- 5) The Tenant agrees to deposit with the Landlord twelve, post-dated cheques for rent from July 2011 through June 2012.

I accept the mutual agreement reached between the parties and I make it an order to be binding upon both parties.

Conclusion

The Landlord and Tenant have reached a settled agreement that the tenancy will end unless the amount of \$3,754.42 in unpaid rent is paid on or before June 30, 2011.

Based upon the settled agreement, as provided in section 63 of the Act, I grant the Landlord an **Order of Possession** that is effective **on June 30, 2011, at 5:00 p.m.** unless payment of \$3,754.42 is paid by the Tenant to the Landlord on or before June 30, 2011. In the event the Tenant does not pay this amount, this order may be filed in the Supreme Court and enforced as an order of that Court.

Based upon the settled agreement, I provide the Landlord a **monetary order** for **\$3,754.42**. In the event the Tenant does not pay this amount on or before June 30, 2011, the Order may be filed in the Provincial Court (Small Claims) 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: June 17, 2011.

Residential Tenancy Branch