



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPC, MNR, FF

### Introduction

This hearing dealt with the landlords' Application for Dispute Resolution seeking a monetary order and an order of possession.

The hearing was conducted via teleconference and was attended by the landlord's agent and the tenant

While the landlords' Application named two respondents, I note the tenancy agreement lists only one of the respondents and as such, I amend the landlords' Application to name only the tenant named in the tenancy agreement.

### Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to an order of possession for cause; to a monetary order for unpaid rent; and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to Sections 47, 55, 67, and 72 of the *Residential Tenancy Act (Act)*.

### Background and Evidence

The parties confirm the tenant paid the rent for August 2011 but failed to pay the full rent for September 2011 on September 1, 2011. The parties agree the tenant paid \$900.00 of the total rent for September and the parties have come to the following settlement agreement:

1. The landlord withdraws his Application for Dispute Resolution;
2. The tenant agrees to pay the balance of September rent in the amount of \$750.00 no later than 8:00 p.m. Saturday September 3, 2011; and
3. The tenant agrees to vacate the rental unit no later than September 30, 2011.

### Conclusion

In support of this settlement agreement I grant the landlord this order of possession effective **two days after service on the tenant**. This order is only enforceable should the tenants fail to comply with either point 2 or 3 of the above noted settlement agreement. This order must be served on the tenant. If the tenant fails to comply with

this order the landlord may file the order with the Supreme Court of British Columbia and be enforced as an order of that Court.

Also in support of this settlement agreement I grant the landlord a monetary order in the amount of **\$750.00** comprised of rent owed to be enforced only if the tenant fails to comply with point 2 in the above settlement agreement.

This order must be served on the tenant. If the tenant fails to comply with this order the landlord may file the order in the Provincial Court (Small Claims) and be 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: September 02, 2011.

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Residential Tenancy Branch