



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 and a monetary order.

The hearing was conducted via teleconference and was attended by both landlords and both tenants.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to an order of possession for unpaid rent and to a monetary order for unpaid rent and to recover the filing fee for this Application from the tenant, pursuant to Sections 46, 55, 67, and 72 of the *Act*.

Background and Evidence

During the hearing the parties came to the following settlement agreement:

1. The landlords withdraw their Application for Dispute Resolution;
2. The tenants agree to pay the landlord \$6,300 for rent that is past due no later than November 1, 2011;
3. The tenants agree to pay the landlord \$2,100.00 for rent due as per the tenancy agreement for the month of November 2011 no later than November 1, 2011;
4. The tenants agree to pay the landlord \$100.00 for the landlord's filing fee for this Application no later than November 1, 2011; and
5. The tenants agree that if they fail to make any of these payments they will vacate the rental unit no later than November 15, 2011.

Conclusion

In support of this settlement agreement I grant the landlords an order of possession effective **November 15, 2011 after service on the tenants**. This order must be served on the tenants. If the tenants 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 agreement I grant the landlords a monetary order in the amount of **\$8,500.00** to be enforced only should the tenants fail to comply with the settlement

agreement. This order must be served on the tenants. If the tenants fail 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: October 27, 2011.

Residential Tenancy Branch