



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR, MNR, FF

Introduction

This hearing was convened in response to an application by the landlord pursuant to the *Residential Tenancy Act* (the Act) for Orders as follows:

1. An Order of Possession - Section 55;
2. A Monetary Order for unpaid rent - Section 67;
3. An Order to recover the filing fee for this application - Section 72.

Both parties attended the hearing and were given full opportunity to present all relevant evidence and testimony in respect to their claims and to make prior submission to the hearing and fully participate in the conference call hearing.

Background and Evidence

At the outset of the hearing the landlord and tenant each testified that they had come to a mutual arrangement and that on the basis of a signed agreement detailing those arrangements, the tenancy will continue. The landlord provided a copy of the agreed terms entitled, "Repayment of Back Rent Arrangement" signed by both parties, dated October 13, 2011. The landlord testified they are satisfied that their agreement suffices in place of their application requests for the above Orders, and therefore wishes to stay their application.

Analysis

Based on the testimony of both parties I find the landlord and tenant have turned their minds to compromise and settled their dispute to their mutual satisfaction and in accordance with their agreement dated October 13, 2011, in place of which the landlord testified the application of the landlord is no longer necessary.

As a result of all the above, I dismiss the landlord's application, with leave to reapply.

Conclusion

The landlord's application **is dismissed**, with leave to reapply.

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*.