



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## SETTLED AGREEMENT

Dispute Codes      MNR, FF

### Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for a monetary order for unpaid rent and to recover the filing fee.

The parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

### Issue(s) to be Decided

Is the landlord entitled to a monetary order?

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

### Settled Agreement

After discussion, the landlord and the tenant agreed that they could resolve their differences and reach a mutual settlement under the following terms and conditions:

1. The parties accept that the landlord is entitled to monetary compensation for unpaid rent from June 1-15, 2011, in the amount of \$548.88. **(\$1,113.00 monthly rent X 12 months = \$12,356.00 ÷ 365 days = \$36.59 daily rate, X 15 days for June).**
2. The parties agree that the landlord's monetary compensation award will be offset by the amount granted in a monetary order for \$1,163.00 previously awarded to the tenant on June 21, 2011;
3. As a result of the offset, the parties agree that the tenant be will awarded a new monetary order in the amount of \$614.12 and that the landlord will not be granted a monetary order;
4. The parties acknowledge their understanding that the tenant's previous monetary order will not be cancelled; however the tenant agrees that she will

- not attempt enforcement of the previously awarded monetary order for \$1,163.00 pending payment of \$614.12 from the landlord;
5. The landlord agrees that she will undertake to have the funds of \$614.12 paid to the tenant on or before November 1, 2011.

As this dispute has been settled, I decline to award the filing fee to the landlord.

### Conclusion

The landlord and tenant have reached a settled agreement.

Based upon the settled agreement as outlined above, I provide the tenant with a **monetary order** for **\$614.12**.

A monetary order for \$614.12 is enclosed with the tenant's Decision. This order is a **legally binding, final order**, and it may be filed in the Provincial Court of British Columbia (Small Claims) should the landlord fail to comply with this monetary order as agreed above.

This settled agreement 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 18, 2011.

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Residential Tenancy Branch