



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNDC, FF

This matter proceeded by way of a conference call hearing, pursuant to the *Residential Tenancy Act* (the "Act"), and dealt with the Landlord's Application for Dispute Resolution. The Landlord requested an order of possession, a monetary order for unpaid rent and compensation for damages and loss, and the filing fee.

During the course of the hearing, the Tenant and Landlord reached an agreement to settle the issues raised in the Landlord's Application on the following conditions:

1. The Tenant has fully moved out of the rental unit and agrees that the Landlord has possession of the rental unit.
2. The Landlord and Tenant agreed to a monetary settlement of \$1375.00 as follows:
 - a. The Tenant agrees that the Landlord can retain the total amount of the security deposit (\$725.00).
 - b. The Tenant agrees to pay a further \$650.00 to the Landlord. The Tenant agrees to pay the \$650.00 to the Landlord in the form of six post dated cheques on or before February 01, 2012 with the dates of the cheques and amounts as follows: \$150.00 February 01, 2012; \$100.00 March 01, 2012; \$100.00 April 01, 2012; \$100.00 May 01, 2012; \$100.00 June 01, 2012; \$100.00 July 01, 2012;
 - c. The Landlord is entitled to a monetary order for \$650.00 which the Landlord may serve on the Tenant and enforce in the Provincial (Small Claims) Court if the Tenant fails to pay the monetary amounts as agreed upon above.
3. In consideration for this mutual settlement the parties agree that no further claims will be made by either party whatsoever arising from this tenancy.

I grant the Landlord a monetary order for \$650.00 as outlined in the settlement agreement. If any one of the cheques is NSF or not provided, the Landlord may enforce

the full amount of the balance of the monetary order in the Provincial (Small Claims) Court. Copies of the cheques and/or bank records shall be taken into account against the monetary order. If the Landlord serves the monetary order on the Tenant and the Tenant fails to comply with the order, the order may be filed in the Provincial (Small Claims) Court.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

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: January 06, 2012.

Residential Tenancy Branch