



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPR, MNR, MNSD, MNDC, FF

### Introduction

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

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

### Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to an order of possession for unpaid rent; to a monetary order for unpaid rent; for all or part of the security deposit and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to Sections 38, 46, 55, 67, and 72 of the *Act*).

### Background and Evidence

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

1. The landlord withdraws his Application for Dispute Resolution;
2. The tenant will pay the landlord a total of \$356.40 consisting of:
  - a. \$65.00 towards the rental arrears for January 2012;
  - b. A per diem rate for use and occupancy only until February 10, 2012 in the amount of \$24.14 for 10 days or \$241.40;
  - c. \$50.00 for the filing fee for this Application;
3. The tenant will vacate the rental unit no later than February 10, 2012;
4. The landlord will retain all of the tenant's security deposit and interest held, in the amount of \$357.55 less the amount noted above of \$356.40 leaving a balance of \$1.15 in the tenant's security deposit to be dealt with in accordance with the Act at the end of the tenancy.

### Conclusion

In support of this settlement agreement and with the agreement of both parties, I grant the landlord an order of possession effective **February 10 after service on the tenant**. 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.

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: February 03, 2012.

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Residential Tenancy Branch