



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD and FF

This application was brought by the landlord on January 25, 2012 seeking an Order of Possession pursuant to a Notice to End Tenancy for unpaid served by posting on the tenant's door on January 11, 2012. The landlord also sought a Monetary Order for the unpaid rent, recovery of the filing fee for this proceeding, and authorization to retain the security deposit in set off against the balance owed.

At the commencement of the hearing, the parties, including the tenant's advocate, advised that they had reached an agreement to resolve this matter under the following terms:

1. The tenant agrees to vacate the rental unit no later than February 29, 2012 and that the landlord will have an Order of Possession to uphold the agreement;
2. The parties agree that the tenant owes and that the landlord will retain the security deposit and interest and the tenant will pay the balance of the rent arrears and filing fee and have a Monetary Order calculated as follows:

Rent shortfall for January 2012	\$ 717.00
Filing fee	<u>50.00</u>
Sub total	\$1,514.00
Less retained security deposit	- 305.00
Less interest (February 4, 2000 to date)	<u>- 26.18</u>
TOTAL	\$1,182.82

This agreement is binding and enforceable.

Conclusion

The landlord's copy of this decision is accompanied by an Order of Possession, enforceable through the Supreme Court of British Columbia, to take effect at 1 p.m. on February 29, 2012.

In addition to authorization to retain the security deposit and interest in set off, the landlord's copy of this decision is accompanied by a Monetary Order for \$1,182.82, enforceable through the Provincial Court of British Columbia, for service on the tenant.

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 14, 2012.

Residential Tenancy Branch