



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, CNR, FF

### Introduction

This hearing was convened in response to an application by the Landlord and an application by the Tenant pursuant to the *Residential Tenancy Act*.

The Landlord applied on March 8, 2012 for Orders as follows:

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

The Tenant applied on March 2, 2012 for Orders as follows:

1. An order cancelling the notice to end tenancy for unpaid rent – Section 46;  
and
2. An Order to recover the filing fee for this application – Section 72.

Both Parties attended the conference call hearing. During the Hearing both Parties indicated their desire to reach an agreement to resolve the dispute and during the Hearing did reach a settlement agreement.

### Agreed Facts

No tenancy agreement exists in written form. The Parties were once business partners and as part of the business arrangement, the Tenant lived in the unit since March or April 2009 for no rent payable. The business relationship broke down and on March 2, 2012, the Landlord personally served the Tenant with a notice to end tenancy for unpaid rent having an effective date of March 11, 2012.

Settlement Agreement

Section 63 of the Act is set out as follows:

- (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order.

Given the authority under the Act, the Parties desire to settle their dispute during the proceedings, and agreement reached between the Parties during the proceedings, I find that the Parties have settled their dispute and the following records this settlement as a decision:

**The Parties mutually agree as follows:**

- 1. The Tenant will move out of the unit on or before 1:00 p.m. April 30, 2012.**
- 2. The Landlord will obtain an Order of Possession with an effective time and date of 1:00 p.m. April 30, 2012.**
- 3. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Conclusion

The Parties have resolved the dispute as set out above on the mutually agreed upon terms.

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: March 19, 2012.

---

Residential Tenancy Branch