



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

This hearing dealt with the landlord's application for dispute resolution under the Residential Tenancy Act (the "Act"), requesting an order of possession, a monetary order for unpaid rent and money owed or compensation for damage or loss and for recovery of the filing fee.

The parties appeared and the hearing process was explained. Thereafter the parties gave affirmed testimony and were provided the opportunity to present their evidence orally and in documentary form, and to respond each to the other party, and make submissions to me.

Settled Agreement

After testimony and discussion, the landlord and the tenant agreed to a resolution of the issues in the landlord's application, as follows:

1. The tenant agrees that the balance of unpaid rent owed to the landlord is \$575.00;
2. The tenant agrees that the landlord will be issued a monetary order for the amount of \$575.00;
3. The landlord agrees that he will prepare a separate agreement with the tenant for instalment payments of the \$575.00;
4. The tenant agrees that the landlord will be issued an order of possession, effective 2 days after service on the tenant;
5. The landlord agrees not to serve upon the tenant the order of possession pending regular, timely monthly rent payments for 2012;
6. The tenant agrees to issue separate post dated rent cheques to the landlord for the remaining months of 2012, to better ensure timely rent payments, which will not be earlier than the 5th day of the month;
7. The landlord waives recovery of the filing fee.
8. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the landlord's application.

Conclusion

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to end the tenancy or apply for monetary compensation or other orders under the Act.

Based upon the settled agreement as outlined above, I provide the landlord with a **monetary order** for **\$575.00**.

The monetary order for \$575.00 is enclosed with the landlord'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 tenant fail to comply with this monetary order as agreed above.

Based upon the settled agreement as outlined above, I provide the landlord with an **order of possession** effective 2 days after service upon the tenant.

The order of possession is enclosed with the landlord's Decision. This order is a **legally binding, final order**, and it may be filed in the Supreme Court of British Columbia should the tenant 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: March 28, 2012.

Residential Tenancy Branch