



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This conference call hearing was convened in response to the landlord's application for an Order of Possession for unpaid rent; a Monetary Order for unpaid rent; and to recover the filing fee associated with this application.

Both parties attended the hearing and provided affirmed testimony. They were given a full opportunity to be heard, to present evidence and to make submissions.

At the outset, the landlord stated that the tenants moved out of the rental unit on the third week of February 2012. Therefore the landlord withdrew his application for an Order of Possession.

Issue(s) to be Decided

Is the landlord entitled to a Monetary Order, and if so for what amount?

Is the landlord entitled to keep all or part of the security deposit?

Is the landlord entitled to recover the filing fee?

Background and Evidence

The rental unit consists of a single detached home. Pursuant to a written agreement, the month to month tenancy started in December 2011. The rent was \$800.00 per month and the tenant paid a security deposit of \$100.00.

The landlord testified that the tenant did not pay rent for January 2012. During the hearing the parties exchanged views on some of the circumstances surrounding the dispute and undertook to achieve a resolution. Matters discussed included the outstanding amount of unpaid rent owed to the landlord; and the tenant's ability to compensate the landlord for that amount.

Analysis

Section 63 of the *Residential Tenancy Act* provides for the parties to resolve their dispute during the dispute resolution proceedings. Accordingly, the parties have agreed to the following:

- The tenant will pay the landlord \$200.00 in four instalments payable on the 20th of each month, starting April 20, 2012 and ending July 20, 2012.
- Should the tenant default in this agreed upon payment schedule, the landlord is granted a monetary order for \$800.00.

Conclusion

Pursuant to Section 67 of the Act, I grant the landlord a monetary order for the \$800.00. If necessary, this Order may be registered in the Small Claims Court and 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: March 28, 2012.

Residential Tenancy Branch