



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR FF

Introduction

This hearing dealt with an Application for Dispute Resolution file by the Landlord seeking an Order of Possession for unpaid rent, and a Monetary Order for unpaid rent, and to recover the cost of the filing fee from the Tenant for this application.

The parties appeared at the teleconference hearing, confirmed receipt of evidence provided by the Landlord, and gave affirmed testimony. A summary of the testimony is provided below and includes only that which is relevant to the matters before me.

Issue(s) to be Decided

1. Has a valid 10 Day Notice to End Tenancy for unpaid rent (the Notice) been issued and served to the Tenant in accordance with sections 46 and 52 of the *Residential Tenancy Act* (the Act)?
2. Has the Landlord met the burden of proof to end this tenancy and obtain an Order of Possession and a Monetary Order in accordance with sections 46, 55, and 67 of the Act?

Background and Evidence

The parties affirmed and agreed they entered into a month to month tenancy that began on February 1, 2011 for monthly subsidized rent. Rent is currently due on the first of each month in the amount of \$461.00.

During the course of this hearing the parties agreed to settle these matters.

Analysis

The parties agreed to settle these matters on the following terms:

- 1) The Tenant agrees to pay the Landlord for January 2012 and February 2012 outstanding rent amounts totalling \$922.00 (\$461.00 + \$461.00) in monthly payments of \$100.00 each until such time as the amount due is paid in full; and
- 2) Payments for the rental arrears will begin on May 1, 2012; and
- 3) The Tenant agrees to make these payments in a manner in which the monthly re-payment amount of \$100.00 plus her monthly rent payment are received by the Landlord by the 1st of each month.

In support of this settlement agreement a Monetary Order and an Order of Possession will be issued to the Landlord and may be served upon the Tenant in the event she does not uphold this agreement.

This matter was settled between the parties; therefore I decline to award recovery of the filing fee.

Conclusion

The Landlord's decision will be accompanied by an Order of Possession effective **two days after service on the Tenant**. This Order is legally binding and must be served upon the Tenant in the event the Tenant does not uphold the above noted settlement agreement.

The Landlord's decision will be accompanied by a Monetary Order for **\$922.00**. This Order is legally binding and must be served upon 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: April 17, 2012.

Residential Tenancy Branch