



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 by the Landlord to obtain 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 and provided 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. Have the parties agreed to settle this matter?

Background and Evidence

The parties agreed the tenancy began on September 1, 2005. The current monthly rent is payable on the first of each month in the amount of \$800.00.

During the course of this proceeding the parties advised they agreed to settle this matter.

Analysis

The parties agreed to settle this matter on the following terms:

- 1) The Landlord withdraws his application; and
- 2) The parties agree that the Tenant made a payment of \$1,700.00 cash on June 27, 2012; and
- 3) The parties agreed that as of July 1, 2012 the Tenant has an accumulated unpaid balance of rent in the amount of \$3,165.00 which includes July 1, 2012 rent; and

- 4) The Tenant agrees to pay \$1,000.00 towards the \$3,165.00 arrears, on the first of each, in addition to the \$800.00 rent payment, beginning August 1, 2012; and
- 5) The Tenant is not required to make a payment of any kind on July 1, 2012.

In support of the above agreement the Landlord will be issued an Order of Possession. The Order is not to be served upon the Tenant unless the Tenant fails to uphold the terms of the settlement agreement as outlined above. If the Tenant fulfills the terms of the above listed settlement agreement the Order of Possession becomes void and will be of no force or effect.

Conclusion

The parties have agreed to settle this matter pursuant to section 63 of the *Residential Tenancy Act*.

The Landlord has been awarded an Order of Possession which will come into effect if the Tenant fails to uphold the terms of the settlement agreement.

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: June 28, 2012.

Residential Tenancy Branch