



# Dispute Resolution Services

Page: 1

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 under the *Residential Tenancy Act* (the “*Act*”) by the landlord for an order of possession for unpaid rent, a monetary order for unpaid rent and to recover the filing fee.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

The tenants confirmed receipt of the landlord’s application and evidence package. I find the tenants were served in accordance with the *Act*.

### Issue(s) to be Decided

- Is the landlord entitled to an order of possession for unpaid rent?
- Is the landlord entitled to a monetary order for unpaid rent?
- Should the landlord recover the filing fee?

### Settlement Agreement

Section 63 of the *Act*, states:

#### **Opportunity to settle dispute**

**63** (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 an order.

During the hearing, a mutual agreement between the landlord and the tenants was reached. The agreement is that the landlord would not serve an order of possession on the tenants, if the amount owing of \$2,050.00 was paid in full by July 12, 2012 at 1:00 p.m. The agreed upon amount of \$2,050.00 consists of the following:

Portion of rent owing from March 2012	\$100.00
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Portion of rent owing from May 2012	\$100.00
Rent owing from June 2012	\$850.00
Rent owing for July 2012	\$850.00
Filing fee	\$50.00
<b>TOTAL</b>	<b>\$2,050.00</b>

Conclusion

I find that the landlord is entitled to an order of possession effective **July 12, 2012 at 1:00 p.m.** This order may be filed in the Supreme Court and enforced as an order of that court. **If the tenant pays the \$2,050.00 in full as described above, the order of possession will become null and void and the tenancy will continue until ended in accordance with the Act. If the tenant does not pay the landlord the \$2,050.00 in full by July 12, 2012 at 1:00 p.m., the landlord must serve the tenant with the order of possession and the tenant will have two (2) days to vacate the rental unit.**

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: July 4, 2012

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Residential Tenancy Branch