



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **SETTLED DECISION**

Dispute Codes      OPR, MNR, FF

### Introduction

This hearing was convened as the result of the landlord's application for dispute resolution under the Residential Tenancy Act (the "Act"), seeking an order of possession for the rental unit due to unpaid rent, a monetary order for unpaid rent and for recovery of the filing fee.

The parties appeared and were affirmed into the hearing. At the outset of the hearing, tenant MK presented that the issues could be resolved very quickly. Thereafter a discussion ensued among all parties in an attempt to resolve the issues in the landlord's application.

### Issue(s) to be Decided

Is the landlord entitled to a monetary order, an order of possession due to unpaid rent and for recovery of the filing fee?

Can the parties reach a mutual agreement to resolve this dispute?

### Settled Agreement

After discussion, the landlord and the tenant agreed that they could resolve their differences and reach a mutual settlement under the following terms and conditions:

1. Tenant DT will be removed from the orders associated with this settlement;
2. The tenant will pay the unpaid rent of \$2100.00 owed for each month for May, June and July 2012, as well as pay future rent for August 2012, for a total amount of \$8400.00;
3. The tenant additionally agrees to pay to the landlord a NSF fee of \$25.00, a move-in fee of \$100.00 and the landlord's filing fee of \$50.00;
4. The total amount owed to the landlord and agreed to be paid by the tenant is \$8575.00
5. The tenant understands the landlord will be issued a monetary order in the amount of \$8575.00;
6. The landlord agrees that the tenancy will continue until July 8, 2012, at 5:00 p.m., at which time the keys will be returned to the landlord;
7. The tenant understands the landlord will be issued an order of possession, based upon the settled agreement, and that if the tenant fails to vacate the

- rental unit by July 8, 2012 at 5:00 p.m., the landlord may serve the order of possession on the tenant and obtain a writ of possession; and
8. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the landlord's application and that no finding is made on the merits of the said application for dispute resolution.

### Conclusion

The landlord and tenant have reached a settled agreement.

Based upon the settled agreement as outlined above, I provide the landlord with a monetary order for \$8575.00.

The monetary order for \$8575.00 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 for the rental unit to ensure that the tenant vacates the rental unit by July 8, 2012, at 5:00 p.m.

The order of possession is enclosed with the landlord's Decision. This order is a legally binding, final order, and may be filed in the Supreme Court of British Columbia should the tenant fail to comply with this order of possession.

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 seek remedy.

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: July 05, 2012.

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Residential Tenancy Branch