



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPR MNR

### Introduction

This hearing dealt with an Application for Dispute Resolution under the *Residential Tenancy Act* (the “*Act*”) by the landlord for a monetary order for unpaid rent or utilities, and for an order of possession for unpaid rent or utilities.

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.

### 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. Both parties agree that rent and utilities remain owing for a total of **\$10,906.84** as of the date of this Decision. This amount includes rent owing for August, 2012, and takes into account the tenants gave the landlord permission to keep the security deposit of \$350.00. The parties agree that the tenants will make monthly payments by the fifteenth day of each month with each payment to be a minimum of \$200.00. Both parties agree that they will maintain a ledger to track the amount of payments made until the entire amount owing of **\$10,906.84** is paid in full. Both parties agree that the monthly payments will be made by the tenants into the landlord’s bank account via direct deposit.

The parties also agree that the tenancy will end at 1:00p.m. on August, 31, 2012. As a result, the landlord has been granted an order of possession which is effective at 1:00p.m. on August 31, 2012.

### Conclusion

I find that the landlord is entitled to an order of possession effective at **1:00p.m. on August 31, 2012**. This order may be filed in the Supreme Court and enforced as an order of that court.

Based on the mutual agreement of both parties, I order that the tenants pay the landlord the amount of **\$10,906.84** as described above in this Decision.

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: August 20, 2012

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Residential Tenancy Branch