



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 by the landlord, pursuant to the *Residential Tenancy Act*. The landlord applied for an order of possession pursuant to a notice to end tenancy for unpaid rent. The landlord also applied for a monetary order for unpaid rent and the filing fee. Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Issues to be decided

Does the landlord have reason to end the tenancy or should the notice to end tenancy be set aside and the tenancy be allowed to continue? Is the landlord entitled to a monetary order?

Background and Evidence

The tenancy started in February 01, 2010. The monthly rent at the start of the tenancy was \$400.00. As of April 01, 2012, the tenant's employment with the landlord ended and he was required to pay the full market rent of \$975.00. The tenant did so for April and May, but failed to pay full rent for the following months. At the time of the hearing the tenant owed \$575.00 for each of the months of June, July, August and September. The tenant also owes \$975.00 for the current month of October.

On August 06, 2012, the landlord served the tenant with a notice to end tenancy for unpaid rent. The circumstances surrounding the notice were discussed. During this discussion the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the dispute resolution officer may assist the parties settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

During this hearing, the parties reached an agreement to settle their dispute on the following terms:

1. The tenant agreed to move out on or before 1:00 pm on October 31, 2012.
2. The landlord agreed to allow the tenancy to continue until October 31, 2012.
3. An order of possession will be issued to the landlord effective this date.
4. The landlord agreed to forgive all rent owed by the tenant.
5. Both parties stated that they understood and agreed that these particulars comprise the full and final settlement of all aspects of this dispute for both parties.

Conclusion

I grant the landlord an order of possession effective on or before **1:00 pm on October 31, 2012.**

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*.

Dated: October 05, 2012.

Residential Tenancy Branch