



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPR MNR MNDC FF

### Introduction

This hearing was convened as a result of the landlord's application for dispute resolution under the *Residential Tenancy Act* (the "*Act*"). The landlord applied for an order of possession for unpaid rent or utilities, for a monetary order for unpaid rent or utilities, for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement, and to recover the filing fee.

The tenants and an agent for the landlord (the "agent") attended the hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

### Preliminary Matter

The agent testified that at the time of the hearing, the tenants owed \$810.00 for October 2012 rent, and the October 2012 late fee of \$20.00 for a total of \$830.00.

### Settlement Agreement

During the hearing, the parties agreed to settle these matters, on the following conditions:

- 1) The tenancy will end on **October 27, 2012 at 1:00 p.m.**
- 1) The tenants will provide vacant possession of the rental unit to the landlord on October 27, 2012 at 1:00 p.m.
- 2) The parties will meet at the rental unit for the purposes of a move-out condition inspection on October 27, 2012 at 1:00 p.m.
- 3) The tenants owe the landlord \$830.00 comprised of \$810.00 for October 2012 unpaid rent, and \$20.00 for the October 2012 late fee.
- 4) The landlord will receive a monetary order in the amount of **\$830.00**

### Conclusion

**I grant** the landlord an order of possession effective **October 27, 2012 at 1:00 p.m.** The tenants must be served with the order of possession. Should the tenants fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

**I grant** the landlord a monetary order in the amount of **\$830.00**. This order may be filed in the Provincial Court (Small Claims) and enforced as an order of that court.

**I do not** grant the landlord the recovery of the filing fee as the parties did not agree to the inclusion of the filing fee as part of their mutually settled agreement.

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: October 23, 2012

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Residential Tenancy Branch