



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR MNSD 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, a monetary order for unpaid rent, for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement, authorization to keep all or part of the security deposit, and to recover the filing fee.

The tenant and an agent for landlord 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.

The tenant confirmed receiving the evidence package from the landlord and had the opportunity to review it prior to the hearing. I find the tenant was served in accordance with the *Act*.

Settlement Agreement

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

- 1) The tenancy will continue if the payments described below are made in full by the dates and times specified below.
- 2) The parties agree that the tenant owes the landlord **\$1,524.00** consisting of her portion of subsidized rent for a total of six months.
- 3) The tenant will sign and drop off the required rental subsidy forms by October 1, 2012 at 4:30 p.m. to the drop box at the rental unit address.
- 4) The tenant will pay her subsidized portion of rent for October 2012 in the amount of **\$254.00** by October 2, 2012 at 4:30 p.m. via money order to be dropped off in the drop box at the rental unit address.

- 5) The tenant will pay **\$726.00** (first half of the \$1,524.00 owing) by October 15, 2012 at 4:30 p.m. via money order to be dropped off in the drop box at the rental unit address.
- 6) The tenant will pay her subsidized portion of rent for November 2012 in the amount of **\$254.00** by November 1, 2012 at 4:30 p.m. via money order to be dropped off in the drop box at the rental unit address.
- 7) The tenant will pay **\$726.00** (second half of the \$1,524.00 owing) by November 15, 2012 at 4:30 p.m. via money order to be dropped off in the drop box at the rental unit address.
- 8) The landlord agrees to waive the outstanding parking fees and late fees up until the date of this mutual agreement.
- 9) The landlord agrees to waive the recovery of the filing fee for this application.
- 10) The landlord is granted a monetary order pursuant to section 67 of the *Act* in the amount of **\$1,524.00**, which will be of no force or effect if the amount owing has been paid in accordance with the mutual agreement described above.
- 11) The landlord is granted an order of possession **effective October 20, 2012 at 1:00 p.m.** which will be of no force or effect if the amount owing has been paid in accordance with the mutual agreement described above.

Conclusion

If the tenant fails to abide by the above terms the landlord has an order of possession effective **October 20, 2012 at 1:00 p.m.** The tenant must be served with the order of possession. Should the tenant 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. The order of possession will be of no force or effect if the amount owing has been paid in accordance with the mutual agreement described above.

I grant the landlord a monetary order in the amount of **\$1,524.00** which will be of no force or effect if the amount owing has been paid in accordance with the above terms.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. 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 02, 2012

Residential Tenancy Branch