



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an order of possession, a monetary order for unpaid rent and an order to retain the security deposit in partial satisfaction of the claim.

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 at the hearing.

Preliminary Issue

At the onset of the hearing the landlord stated the tenant is no longer residing in the rental unit and an order of possession is no longer required.

Settlement Agreement

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

1. The tenant agreed that he owes \$8,315.50 in rent arrears.
2. The parties agreed that the landlord is entitled to retain the security deposit of \$515.00 in partial satisfaction of the claim.
3. The parties agreed the landlord is entitled to recover the cost of filing the application.
4. The landlord has agreed to the tenant's payment schedule as proposed in the letter dated October 15, 2012.

Rent Arrears	\$8,315.50
Less Security Deposit	(515.00)
Total Rent Arrear	\$7,800.50
Filing fee	\$ 100.00
Total balance due	\$7,900.50

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

Conclusion

As a result of the above settlement agreement, the landlord is granted a monetary order for the balance due. Should the tenant fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial Court and enforced as an Order of that Court.

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 Act*.

Dated: October 29, 2012.

A. Wood, Dispute Resolution Officer
Residential Tenancy Branch