



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPC FF  
                              CNC FF

### Introduction

This hearing dealt with cross Applications for Dispute Resolution filed by both the Landlord and the Tenant.

The Landlord filed seeking an Order of Possession for cause and to recover the cost of the filing fee from the Tenant for this application.

The Tenant filed seeking an Order to cancel the Notice to end tenancy for cause and to recover the cost of the filing fee.

The parties appeared at the teleconference hearing, acknowledged receipt of evidence submitted by the other and gave affirmed testimony. At the outset of the hearing I explained how the hearing would proceed and the expectations for conduct during the hearing, in accordance with the Rules of Procedure. Each party was provided an opportunity to ask questions about the process however each declined and acknowledged that they understood how the conference would proceed.

### Issue(s) to be Decided

1. Should the Landlord be granted an Order of Possession?

### Background and Evidence

The parties agreed they entered into a month to month tenancy agreement that began on January 8, 2008. Rent is currently payable on the first of each month in the amount of \$332.30.

During the course of this proceeding the parties agreed to settle these matters.

### Analysis

The parties agreed to settle these matters on the following conditions:

- 1) Both parties agree to withdraw their application in favor of this agreement;  
and
- 2) The Tenant agrees to deposit her rent directly into the Landlords' Island Savings Credit Union account # 116806 on or before the first of every month;  
and
- 3) The Tenant understands that such a deposit must be made at a Credit Union and must be made in person; and
- 4) The Tenant agrees to ensure the manner in which she deposits her rent (e.g.: cash or certified cheque) will be accessible to the Landlords every month no later than the 1<sup>st</sup> of each month.

In support of the above agreement the Landlords will be issued an Order of Possession that would become effective only if the Tenant does not comply with the above settlement agreement.

#### Conclusion

The Landlords have been issued an Order of Possession effective two days upon service to the Tenant. This Order is legally binding if the Tenant fails to comply with the settlement agreement.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: November 21, 2012.

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Residential Tenancy Branch