



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPC, CNC, LRE, AS, RR, FF

Introduction

This hearing was convened in response to cross application.

The Landlord filed an Application for Dispute Resolution, in which the Landlord has made application for an Order of Possession and to recover the filing fee from the Tenant for the cost of this Application for Dispute Resolution. The Tenant and the Landlord agree that this Application for Dispute Resolution was served to the Tenant.

With the consent of both parties, the Landlord's Application for Dispute Resolution has been amended to reflect the correct spelling of the female Tenant's name.

The Tenant filed an Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause; for an Order suspending or setting conditions on the Landlord's right to enter the rental unit; for authorization to reduce the rent; and for authorization to assign or sublet the unit. The Tenant stated that the Application was not served to the Landlord. As the Tenant's Application for Dispute Resolution was not served to the Landlord it is being dismissed with leave to reapply.

Issue(s) to be Decided

Is the Landlord entitled to an Order of Possession and to recover the filing fee from the Tenant for the cost of the Application for Dispute Resolution, pursuant to sections 55 and 72 of the *Residential Tenancy Act (Act)*?

Background and Evidence

During the hearing the Landlord and the female Tenant mutually agreed to settle this dispute under the following terms:

- The tenancy will end of February 28, 2013
- The Tenant will pay full rent of \$675.00 by February 01, 2013
- The Landlord will be granted an Order of Possession for the rental unit

- The Landlord can serve the Order of Possession on February 02, 2013 if the Tenant does not pay the rent by February 01, 2013.

Conclusion

On the basis of the aforementioned settlement agreement, I grant the Landlord an Order of Possession that is effective two days after it is served upon the Tenant. This Order may not be served on the Tenant until February 26, 2013 unless the Tenant does not pay full rent by February 01, 2013, in which case the Order may be served on February 02, 2013. Once served, the Order may be filed with the Supreme Court of British Columbia 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: January 22, 2013

Residential Tenancy Branch

