



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

### Dispute Codes:

CNR

### Introduction

This hearing was scheduled in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Unpaid Rent.

Both parties were represented at the hearing. They were provided with the opportunity to submit documentary evidence prior to this hearing, to present oral evidence, to ask questions, and to make submissions to me. Neither party submitted documentary evidence in regards to this matter.

### Issue(s) to be Decided

Should the Notice to End Tenancy for Unpaid Rent, served pursuant to section 46 of the *Residential Tenancy Act (Act)*, be set aside?

### Background and Evidence

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

- The tenancy will continue
- The Tenant will pay the Landlord \$975.00 on January 25, 2013 for rent for February of 2013
- The Tenant will pay the Landlord \$975.00 by March 01, 2013 for rent for March of 2013
- The Tenant will pay the monthly rent of \$975.00 by the first day of each subsequent month
- The Tenant agrees that he owes rent of \$2,745.00 for the period ending on January 31, 2013
- The Tenant will pay the Landlord \$400.00 on January 11, 2013, in partial payment of the debt of \$2,745.00
- The Tenant will pay the Landlord \$400.00 on February 15, 2013, in partial payment of the debt of \$2,745.00
- The Tenant will pay the Landlord \$400.00 on the fifteenth day of each subsequent month until the debt of \$2,745.00 is paid in full

- The Landlord will be granted a Monetary Order in the amount of \$2,745.00
- The Landlord may enforce the monetary Order if the Tenant fails to pay any of the \$400.00 installments when they are due, at which time the Order will be reduced by any amount the Tenant has paid toward this debt.

### Conclusion

On the basis of the settlement agreement, I grant the Landlord a monetary Order in the amount of \$2,745.00. In the event the Tenant fails to pay any of the \$400.00 installments toward this debt, the Landlord may serve the Order on the Tenant, file it with the Province of British Columbia Small Claims Court and enforce it 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 09, 2013.

