



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNC

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant for an order granting more time to dispute a notice to end tenancy and for an order cancelling a notice to end tenancy for cause.

The landlord and the tenant both attended the conference call hearing. During the course of the hearing the parties agreed to settle this dispute on the following conditions:

1. The tenant will vacate the rental unit on or before February 1, 2013 at 1:00 p.m. and the tenancy will end at that time;
2. The landlord will have an Order of Possession effective February 1, 2013 at 1:00 p.m.;
3. The parties will conduct a move-out condition inspection report on February 1, 2013;
4. The landlord will keep the \$450.00 security deposit in partial payment of rental arrears for the month of January, 2013;
5. The tenant will pay the landlord the balance of rent owed for the month of January, 2013 in the amount of \$450.00 on February 1, 2013;
6. The landlord will have a monetary order in the amount of \$450.00 and if the tenant fails to pay the balance of \$450.00 on February 1, 2013, the landlord will be at liberty to serve the monetary order on the tenant and enforce it as a judgment in the Provincial (Small Claims) Court of British Columbia;
7. If the tenant pays the landlord the balance of \$450.00 for rent owed for January, 2013, the landlord may not enforce the monetary order.

Conclusion

For the reasons set out above, I hereby grant an Order of Possession in favour of the landlord effective February 1, 2013 at 1:00 p.m.

I further order the landlord to keep the security deposit of \$450.00 in partial satisfaction of rent owed for the month of January, 2013.

I further order the tenant to pay the balance of rent owed for the month of January, 2013 in the amount of \$450.00 on February 1, 2013.

I hereby grant a monetary order in favour of the landlord in the amount of \$450.00 pursuant to Section 67 of the *Residential Tenancy Act*. The landlord is at liberty to enforce the monetary order as a judgment in the Provincial (Small Claims) Court of British Columbia if the tenant fails to pay \$450.00 for the balance of rent owed for the month of January, 2013. If the tenant pays that balance, the landlord may not enforce the monetary order.

I hereby order the parties to comply with the settlement agreement as described above.

These orders are final and binding on the parties and may be enforced.

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 23, 2013

Residential Tenancy Branch

