



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding (Agent for Owner) Warrington PCI Management
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

Landlord: OPR, MNR, FF

Tenants: MT, CNR

Introduction

This hearing dealt with cross Applications for Dispute Resolution. The landlord sought an order of possession and a monetary order. The tenants sought more time to apply to cancel a notice to end tenancy and to cancel a notice to end tenancy.

The hearing was conducted via teleconference and was attended by two agents for the landlord and the male tenant.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to an order of possession for unpaid rent; to a monetary order for unpaid rent; and to recover the filing fee from the tenants for the cost of the Application for Dispute Resolution, pursuant to Sections 46, 55, 67, and 72 of the *Residential Tenancy Act (Act)*.

It must also be decided if the tenants are entitled to more time to apply to cancel a notice to end tenancy and to cancel a 10 Day Notice to End tenancy for Unpaid Rent, pursuant to Sections 46 and 66 of the *Act*.

Background and Evidence

During the hearing the parties came to the following settlement:

1. The landlord withdraws their Application for Dispute Resolution;
2. The tenants withdraw their Application for Dispute Resolution;
3. The tenant agrees to provide the landlord with payment of rental arrears in the amount of \$6,831.00 no later than the end of business on February 27, 2013; and
4. The tenant agrees to either:
 - a. Sign up with the landlord for electronic funds transfer for future rental payments; or
 - b. Provide the landlord with 12 posted-dated cheques per year for the payment of rent for the duration of the tenancy.

Conclusion

In support of this settlement and with agreement of the parties I grant the landlord an order of possession effective **two days after service on the tenants**. This order must be served on the tenants only if the tenants fail to comply with any of the terms of the above noted settlement. If the tenants fail to comply with this order the landlord may file the order with the Supreme Court of British Columbia and be enforced as an order of that Court.

Also in support of this settlement I grant the landlord is entitled a monetary order in the amount of **\$6,831.00** comprised of rental arrears. This order must be served on the tenants, only if the tenants fail to comply with the payment requirements in the above noted settlement. If the tenants fail to comply with this order the landlord may file the order in the Provincial Court (Small Claims) and be 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: February 19, 2013

Residential Tenancy Branch

