



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNR, OPR, MNDC, CNR, FF

Introduction

This hearing was convened in response to cross-applications by the tenant and landlord pursuant to the *Residential Tenancy Act* (the Act). The tenant orally amended their claim to exclude portions of the application in favour of the primary claims.

Both parties attended the hearing and were provided opportunity to submit document evidence relevant to their dispute, and to discuss and present testimony respecting their disputes.

During the course of the hearing the parties discussed their disputes, turned their minds to compromise, and agreed to settle all issues of both parties in dispute and to the full satisfaction of both their respective applications, and that I record their settlement as per Section 63 of the Residential Tenancy Act, as follows:

1. Both parties agree the tenant will pay the landlord all outstanding rent to the end of March 2013 in the adjusted but agreed amount of **\$2300.00**, by March 15, 2013, in cash, or in the form of assured/certified payment.
2. Both parties agree the tenancy will end **May 31, 2013**. Both parties agree the payable rent under the tenancy agreement for April and May 2013 will be satisfied by the tenant in accordance with the agreement.
3. Both parties agree the landlord will receive an **Order of Possession** effective the agreed date of May 31, 2013. If the parties mutually agree, in writing, to continue the tenancy, the Order of Possession becomes null and of no effect.

The landlord will provide a receipt for all rent paid.

Conclusion

As per the parties' settlement agreement, I **grant** the landlord an Order of Possession effective no sooner than May 31, 2013. If the landlord determines to end the tenancy the tenant must be served with this **Order of Possession**. Should the tenant fail to

comply with the Order, the Order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

So as to perfect the parties' agreement, **I grant** the landlord an Order under Section 67 of the Act for the amount of **\$2300.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

This Decision and Settlement is final and binding on both parties.

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: March 12, 2013

Residential Tenancy Branch

