



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This hearing was scheduled to deal with a landlord's application for an Order of Possession and Monetary Order for unpaid rent pursuant to a 10 Day Notice to End Tenancy for Unpaid Rent dated March 16, 2013. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

During the hearing, the parties indicated a willingness to resolve this dispute by way of a settlement agreement. I have recorded the settlement agreement by way of this decision and the Order that accompanies it.

Issue(s) to be Decided

What are the terms of settlement?

Background and Evidence

The parties mutually agreed to the following terms during the hearing:

1. The tenant shall return vacant possession of the rental unit to the landlord no later than May 15, 2013.
2. The landlord shall waive any entitlement to recover unpaid rent from the tenant.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record a settlement agreement in the form of a decision or order. I have accepted the settlement agreement reached by the

parties during this hearing and make the terms an Order to be binding upon both parties.

In recognition of the mutual agreement I provide the landlord with an Order of Possession effective May 15, 2013.

In recognition of the mutual agreement I do not provide the landlord with a Monetary Order and the landlord is precluded from seeking rent from the tenant for the months of April or May 2013.

Conclusion

The tenancy shall end May 15, 2013 by way of a settlement agreement. I have provided the landlord an Order of Possession effective May 15, 2013 to ensure the tenant returns vacant possession to the landlord. The landlord's current and future monetary claims against the tenant for unpaid rent have been waived by the landlord.

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: April 30, 2013

Residential Tenancy Branch