



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Greater Victoria Housing Society
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, OPB, MNSD, MNDC, FF

This hearing was to deal with the landlord's application for an order of possession, a monetary order and an order permitting retention of the security deposit in partial satisfaction of the claim. Both parties appeared and had an opportunity to be heard.

At the beginning of the hearing the tenant advised that her surname had been misspelled on the application for dispute resolution. This decision and the accompanying orders reflect the correct spelling of the tenant's surname.

The parties agreed that the tenant had been served with a 10 Day Notice to End Tenancy for Non-Payment of Rent or Utilities and that the tenant had neither paid the arrears or filed an application to dispute the notice. As a result, the tenant is conclusively presumed to have accepted that the tenancy ended on the effective date of the notice. Based on the above facts I find that the landlord is entitled to an order of possession.

The tenant also acknowledged that the total amount owing to the landlord as of the date of hearing is \$1375.00 comprised of arrears of rent for May of \$500.00, arrears of rent for June of \$800.00, late fee of \$25.00 and the \$50.00 fee paid by the landlord for this application.

The parties agreed at the hearing that if the tenant complies with the following agreement, the landlord will permit the tenant to remain in the rental unit:

- The tenant will pay the landlord \$700.00 on or before 4:30 pm on Friday, June 14, 2013;
- The tenant will pay the landlord \$675.00 on or before 4:30 pm on Friday, June 28, 2013; and,
- The tenant will pay the landlord \$800.00 for the July rent on or before 4:30 pm on Friday, July 12, 2013.

If any payment is not made as required by this decision, the landlord may exercise its rights under the Order of Possession that is provided with this decision. The landlord is not reinstating the tenancy by accepting any payment from the tenants. It is only if the tenants make all the payments on the same terms as set out in this decision and pay the arrears in full, that the tenancy will continue. Should the tenant fail to comply with this decision, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

I also grant the landlord a monetary order pursuant to section 67 in the amount of \$1375.00. If the tenant fails to make the payments as set out in this decision the order may be filed in the Small Claims Court and 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: June 07, 2013

Residential Tenancy Branch

