



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MND MNR FF

Introduction

This hearing was convened as a result of the landlord's application for dispute resolution under the *Residential Tenancy Act* (the "*Act*"). The landlord applied for an order of possession for unpaid rent or utilities, a monetary order for unpaid rent or utilities, for damage to the unit, site or property, and to recover the filing fee.

The tenant and the landlord attended the hearing. The parties had the hearing process explained to them, they gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

The tenant confirmed receiving the one-page evidence package from the landlord and had the opportunity to review it prior to the hearing. The tenant did not serve evidence in response to the landlord's application. I find the tenant was served in accordance with the *Act*.

Settlement Agreement

During the hearing, the parties agreed to settle these matters, on the following conditions:

1. The tenant agrees to pay the landlord **\$1,440.00** comprised of \$650.00 for unpaid June 2013 rent, \$650.00 for unpaid July 2013 rent, \$90.00 for unpaid utilities, and \$50.00 for the filing fee. The tenant agrees to pay \$1,440.00 in five payments of \$288.00 on the 8th day of each month starting August 8, 2013 until the full amount of \$1,440.00 has been paid as follows; August 8, 2013, September 8, 2013, October 8, 2013, November 8, 2013 and December 8, 2013 via Interac E-Transfer payments. The landlord provided the tenant with her e-mail address during the hearing for the purpose of these payments.

2. The parties agree the tenancy will end on **July 31, 2013 at 1:00 p.m.** The landlord is granted an order of possession effective **July 31, 2013 at 1:00 p.m.** which must be served on the tenant.
3. The landlord is granted a monetary order pursuant to section 67 of the *Act* in the amount of **\$1,440.00**, which will be of no force or effect if the amount owing has been paid in accordance with #1 above.
4. The landlord withdraws her application in full as part of this settlement agreement.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Conclusion

I order the parties to comply with the terms of their settlement agreement described above.

I grant the landlord an order of possession effective **July 31, 2013 at 1:00 p.m.** The tenant must be served with the 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.

The landlord is granted a monetary order pursuant to section 67 of the *Act* in the amount of **\$1,440.00**, which will be of no force or effect if the amount owing has been paid in accordance with #1 above.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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: July 25, 2013

Residential Tenancy Branch

