



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

And

RECORD OF SETTLEMENT

Dispute Codes:

OPR, MNR, MNSD, FF

Introduction

This hearing was convened in response to an application by the landlord pursuant to the *Residential Tenancy Act* (the Act) for Orders as follows:

1. An Order of Possession - Section 55;
2. A Monetary Order for unpaid rent - Section 67;

Both parties participated in the hearing.

During the course of the hearing, the parties discussed their dispute and turned their minds to compromise. The parties reached agreement, choosing to settle this matter on the following conditions, and at their request that I record the parties' settlement as per Section 63 of the Act as follows.

1. The tenant and landlord agree that the tenant will pay the landlord **\$15,600.00** by *assured instrument* as agreed by the parties, forthwith.
2. The tenant and landlord agree that so as to perfect this agreement, the landlord will receive a **Monetary Order** in the agreed amount owed to the landlord.
3. The tenant and landlord agree that so as to perfect this agreement, the landlord will receive an **Order of Possession effective December 31, 2013**.
4. If the tenant does not pay the landlord the agreed amount the landlord will serve the Order of Possession on the tenant and the tenancy will end in accordance with the Order.

5. If the parties act on their agreement and the tenant pays the landlord the agreed amount before the effective date of the Order of Possession, the **Monetary Order and the Order of Possession both become null and of no effect.**

It must be noted that the landlord must issue a receipt for any and all monetary amounts paid by the tenant to the landlord, and that the tenant should ensure same.

Conclusion

Subject to part 5 of the parties' agreement:

I grant the landlord a **Monetary Order** under Section 67 of the Act in the agreed amount of **\$15,600.00**. The landlord is being given this Order. If the tenant does not pay the landlord the agreed amount, the landlord may serve the Order on the tenant. If necessary, the Order may be filed in Small Claims Court and enforced as an order of that court.

I grant an **Order of Possession** to the landlord **effective December 31, 2013**. Should the tenant be served with the Order and fails to comply with it, the Order may be filed in the Supreme Court of British Columbia 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: December 13, 2013

Residential Tenancy Branch

