



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BRITISH COLUMBIA HOUSING MANAGEMENT COMMISSION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNDC, FF

Introduction

This hearing was convened by way of conference call in response to an application by the Landlord for an Order of Possession and a Monetary Order for unpaid rent or utilities. The Landlord also applied for money owed or compensation for damage or loss under the *Residential Tenancy Act* (the “Act”), regulation or tenancy agreement and to recover the filing fee from the Tenant for the cost of this application.

An agent for the Landlord and the Tenant appeared for the hearing along with a witness for the Landlord who testified regarding the service of the notice to end tenancy for unpaid rent.

No issues in relation to the service of the hearing documents under the Act, and the documentary evidence submitted prior to the hearing in accordance with the Rules of Procedure were raised by the parties.

The Tenant indicated that she was in the process of paying the outstanding rent in the amount of \$876.00 to the Landlord by March 18, 2014. The Landlord indicated that she wanted to continue the tenancy providing the Tenant pays the full amount of rent by March 18, 2014. However, the Landlord still requested an Order of Possession and a Monetary Order for the unpaid rent to enforce if the Tenant fails to make the payment.

Analysis

Pursuant to section 63 of the Act, the arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of the dispute.

Both parties agreed to settle the Landlord’s application in full under the following terms:

1. The Tenant agreed to pay the outstanding amount of rent in the amount of \$876.00 by the end of March 18, 2014.
2. The Tenant agreed to the Landlord being issued with a Monetary Order for this amount as well as an Order of Possession effective immediately if the Tenant fails to make the above payment to the Landlord.

Conclusion

For the reasons set out above, I hereby grant an Order of Possession in favor of the Landlord effective **2 days after service on the Tenant**. This order may then be filed and enforced in the Supreme Court as an order of that court if the Tenant fails to make the above payment.

I further grant a Monetary Order in the amount of **\$876.00** in favor of the Landlord pursuant to Section 67 of the Act. This order must be served on the Tenant and may be filed in the Provincial Court (Small Claims) and enforced as an order of that court if the Tenant fails to make the above payment.

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 17, 2014

Residential Tenancy Branch

