



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding WALL FINANCIAL CORPORATION
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 Landlords 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 by calling in on the same phone line. The Tenant testified that she was present at the hearing voluntarily and was working with the Landlord to resolve the issues in the tenancy.

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 Landlord indicated that the Tenant was in the process of paying the outstanding rent and that both parties had an intention to continue the tenancy if the payment is made by the Tenant which the Tenant confirmed is still currently outstanding. The Landlord and Tenant decided to come to a mutual agreement with regards to the above issues.

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 dispute under the following terms:

1. The Tenant agreed to pay the outstanding amount of rent of \$585.00 and the \$50.00 filing fee to the Landlord in the amount of \$635.00.
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 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.

I further grant a Monetary Order in the amount of **\$635.00** 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.

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 12, 2014

Residential Tenancy Branch

