



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Dranly Holdings Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes For the tenant: ERP, CNR, OLC, RR, MNDC, LAT, LRE
For the landlord: MNSD, OPR, MNR, MNDC, FF

Introduction

This hearing was convened as the result of the applications for dispute resolution under the Residential Tenancy Act (the “Act”) by each party.

The tenant applied for an order requiring the landlord to make emergency repairs to the rental unit, an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “Notice”), for an order requiring the landlord to comply with the Act, for an order allowing a reduction in rent, a monetary order for money owed or compensation for damage or loss, an order authorizing the tenant to change the locks to the rental unit, and an order suspending or setting conditions on the landlord’s right to enter the rental unit.

The landlord applied for authority to retain the tenant’s security deposit, an order of possession for the rental unit due to unpaid rent, a monetary order for unpaid rent, a monetary order for money owed or compensation for damage or loss, and for recovery of the filing fee.

The parties appeared and each testified in support of their respective positions.

Thereafter a mediated discussion ensued and the parties agreed to resolve their differences.

Settled Agreement

The tenant and the landlord agreed that they could resolve their differences and reach a mutual settlement under the following terms and conditions:

1. The tenant agrees that she will pay the monthly rent for March 2014, by March 27, 2014;
2. The landlord agrees to a concession of \$140 for the March monthly rent, making the amount of the rent payment owed by the tenant by March 27, 2014, the amount of \$920;
3. The tenant agrees that she will make a timely rent payment on April 1, 2014, for the full April rent due;
4. The tenant understands the landlord will be issued an order of possession for the rental unit, based upon the settled agreement, and that if the tenant fails to make the rent payments as agreed above, the landlord may serve the order of possession on the tenant and regain vacant possession of the rental unit;
5. The landlord agrees to not serve the order of possession on the tenant unless the tenant fails to make the above payments as agreed;
6. The landlord understands that the order of possession for the rental unit granted to the landlord is null and void if the tenant makes the above rent payments in the amount and date agreed upon; and
7. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the parties' respective applications and that no finding is made on the merits of either application for dispute resolution.

Conclusion

The tenant and the landlord have reached a settled agreement.

Based upon the settled agreement as outlined above, I provide the landlord with an order of possession for the rental unit in the event the tenant fails to make the rent payments as agreed and cited above.

The order of possession is enclosed with the landlord's Decision. This order is a legally binding, final order, and may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court should it become necessary.

This settlement agreement is final and binding and was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

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* and is being mailed to both the applicant/tenant and the applicant/landlord.

Dated: March 25, 2014

Residential Tenancy Branch

