



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes:

CNR

### Introduction

This hearing was scheduled in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Unpaid Rent. Both parties were represented at the hearing. They were provided with the opportunity to submit to present oral evidence, to ask questions, and to make submissions.

### Issue(s) to be Decided

Should the Notice to End Tenancy for Unpaid Rent, served pursuant to section 46 of the *Residential Tenancy Act (Act)*, be set aside?

### Background and Evidence

After considerable discussion the Landlord and the Tenant mutually agreed to settle this dispute under the following terms:

- The Tenant will pay \$2,500.00 to the Landlord by June 06, 2014
- The Tenant will pay \$3,500.00 to the Landlord by June 26, 2014
- These payments are in full settlement of all money owed for rent and utilities up to June 30, 2014
- The Landlord will receive a monetary Order for \$6,000.00 which may only be enforced if the Tenant does not make the aforementioned payments by the dates they are due
- The Landlord will receive an Order of Possession which may only be enforced if the Tenant does not make the aforementioned payments by the dates they are due.

Analysis:

This matter has been settled by the parties in accordance with the aforementioned terms.

Conclusion

On the basis of the settlement agreement, I grant the Landlord an Order of Possession that is effective two days after it is served upon the Tenant. **This Order may be not be served on the Tenant unless the Tenant fails to comply with the payment outlined in their settlement agreement.**

On the basis of the settlement agreement, I grant the Landlord a monetary Order for \$6,000.00. **This Order may not be served on the Tenant unless the Tenant fails to comply with the payments outlined in their settlement agreement.**

This settlement agreement is recorded and the Order awarded on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: May 29, 2014

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Residential Tenancy Branch

