



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CAPILANO PROPERTY MANAGEMENT SERVICES  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPR, MNR, MNDS, MNDC, FF

### Introduction

This hearing dealt with the landlord's application for dispute resolution under the Residential Tenancy Act (the "Act") for an order of possession for the rental unit due to unpaid rent, a monetary order for unpaid rent and money owed or compensation for damage or loss, for authority to retain the tenants' security deposit and to recover the filing fee.

The parties attended, the hearing process was explained and they were given an opportunity to ask questions about the hearing process.

After testimony from both parties, a mediated discussion ensued and the parties agreed to resolve their differences.

### Issue(s) to be Decided

Is the landlord entitled to an order of possession?

Can the parties reach a mutual agreement to resolve this dispute?

### Settled Agreement

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

1. The tenants agree to pay the June 2014 rent in full and the \$25 late fee by June 26, 2014;
2. The tenants agree to pay the July 2014 rent in full and the \$25 late fee by July 10, 2014;
3. The tenants understand the landlord will be issued an order of possession for the rental unit, based upon the settled agreement, and that if the tenants fail to make either the June or July 2014 rent payment as agreed above, the landlord may serve the order of possession on the tenants and seek their eviction from the rental unit;

4. The landlord agrees to not serve the order of possession on the tenants unless the tenants fail to make their June and/or July 2014, monthly rent payment and the \$25 late fee for each month; and
5. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the landlord's application and that no finding is made on the merits of the said application for dispute resolution.

### Conclusion

The landlord and the tenant 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 tenants fail to pay their June and July rent payment as agreed 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 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 and the respondents.

Dated: June 10, 2014

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Residential Tenancy Branch

