



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF

This hearing was to deal with the landlord's application for an order of possession and a monetary order. All parties appeared and had an opportunity to be heard.

The parties agreed that the tenants had been served with a 10 Day Notice to End Tenancy for Non-Payment of Rent and that neither tenants had paid the arrears or filed an application to dispute the notice. As a result, the tenants are conclusively presumed to have accepted that the tenancy ended on the effective date of the notice. Based on the above facts I find that the landlord is entitled to an order of possession.

The tenant VJ acknowledged that the arrears of rent she owes to the landlord is \$650.00 and the tenant RC acknowledged that the arrears of rent he owes to the landlord is \$200.00. The tenants also agreed that they would each reimburse the landlord \$25.00 in payment of the fee paid by the landlord for this application.

The parties agreed at the hearing that if the tenants comply with the following agreement, the landlord will permit the tenant to remain in the rental unit:

- VJ will pay the sum of \$100.00 to the landlord on or before the twentieth day of every month, commencing July 20, 2014 and continuing until the sum of \$675.00 is paid in full. VJ's final payment will be \$75.00.
- RC will pay the sum of \$100.00 to the landlord on or before the twentieth day of every month commencing July 20, 2014 and continuing until the sum of \$225.00 is paid in full. RC's final payment will be \$25.00.
- Each tenant will continue to pay the monthly rent as it becomes due.

If any payment is not made as required by this decision, the landlord may exercise its rights under the Order of Possession that is provided with this decision. The landlord is not reinstating the tenancy by accepting any payment from either the tenants. It is only if each tenant makes all the payments on the same terms as set out in this decision and pays their arrears in full, that their tenancy will continue. Should the tenant fail to

comply with this decision, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

I also grant the landlord two separate monetary orders pursuant to section 67: one against VJ in the amount of \$675.00 and one against RC in the amount of \$225.00. If a tenant fails to make the payments as set out in this decision the order may be filed in the Small Claims Court and enforced as an order of that court.

Conclusion

The parties agreed that the tenancy will continue if the tenants comply with the payment schedule.

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: July 18, 2014

Residential Tenancy Branch

