



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR, MNR, MNSD

Introduction

This hearing was convened in response to the Landlord's Application for Dispute Resolution, in which the Landlord applied for an Order of Possession for Unpaid Rent, a monetary Order for unpaid rent, and to retain all or part of the security deposit.

Both parties were represented at the hearing.

Issue(s) to be Decided

Is the Landlord entitled to an Order of Possession for unpaid rent; to a monetary Order for unpaid rent; and to keep all or part of the security deposit?

Background and Evidence

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

- The tenancy will end, by mutual consent, on November 30, 2014
- The Tenant will pay the Landlord \$850.00 in rent for November by November 03, 2014
- In the event that the Tenant does not pay \$850.00 by November 03, 2014, the Landlord may enforce an Order of Possession that will be granted as part of this settlement agreement
- On December 01, 2014, the Tenant will pay the Landlord \$200.00 towards outstanding rent of \$3,310.00
- The Tenant will pay \$200.00 by the first day of each subsequent month until the remaining outstanding rent of \$3,110.00 is paid in full.

Analysis

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

Conclusion

On the basis of the aforementioned 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 served on the Tenant any time after November 03, 2014 **if the Tenant fails to pay \$850.00 in rent by November 03, 2014**. If the rent is paid by November 03, 2014, this Order may be served on the Tenant any time after November 28, 2014. Once it is served upon the Tenant, it may be filed with the Supreme Court of British Columbia, and enforced as an Order of that Court.

On the basis of the aforementioned settlement agreement, I grant the Landlord a monetary Order for \$3,310.00. This Order may be served upon the Tenant if the Tenant fails to make any of the aforementioned \$200.00 payments on the date they are due. Once it is served upon the Tenant, it may be filed with the Province of British Columbia Small Claims Court and enforced as an Order of that Court. The parties are strongly encouraged to retain records of payments in the event this Order is enforced by the 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: October 16, 2014

Residential Tenancy Branch

