



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPB, OPE, MNR, MNSD, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord for an Order of Possession based on a breach of an agreement and employment with the landlord ending, a Monetary Order for unpaid rent, an order to retain the security deposit in partial satisfaction of the claim and to recover the filing fee for the Application.

Both parties appeared at the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

During the hearing the parties reached a comprehensive settlement as follows:

1. The Tenant shall vacate the rental unit on or before 12:00 noon on December 31, 2014.
2. The Landlord is entitled to an Order of Possession effective **December 31, 2014**. The Landlord must serve this Order on the Tenant. This Order may be filed in the Supreme Court and enforced as an order of that Court.
3. The parties agree that the Tenant owes the Landlord \$2,700.00 for the outstanding rent of \$1,350.00 for November 2014 and \$1,350.00 for December 2014.
4. Pursuant to section 38(1)(4) that the Landlord may retain the security deposit in the amount of \$675.00 in partial satisfaction of the amount owing to the Landlord for unpaid rent.
5. The Landlord shall be granted a Monetary Order for the balance due, namely \$2,025.00. This order may be filed in the Provincial Court (Small Claims) and enforced as an Order of that Court.
6. The Tenant shall pay the \$2,025.00 as provided for above to the Landlord in 9 equal installments as follows:

January 2, 2015	\$225.00
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January 16, 2015	\$225.00
January 30, 2015	\$225.00
February 13, 2015	\$225.00
February 27, 2015	\$225.00
March 13, 2015	\$225.00
March 27, 2015	\$225.00
April 10, 2015	\$225.00
April 24, 2015	\$225.00

7. On or before December 24, 2014, the Tenant shall, provide to the Landlord, post-dated cheques in the amounts noted above and payable on the dates noted above.

Pursuant to section 63(2) I record the above settlement in this my decision and make the Orders as set out above.

Conclusion

The parties resolved matters by agreement. The Landlord is granted an Order of Possession, may keep the security deposit and interest in partial satisfaction of the claim, and is granted a Monetary Order for the balance due.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: December 10, 2014

Residential Tenancy Branch

