



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding THE GOOD KNIGHT INN LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, FF

Introduction

This hearing was convened in relation to the landlord's application for an order of possession for unpaid rent, a monetary order for unpaid rent, and recovery of its filing fee from the tenant.

The tenant and the landlord's agent (the agent) appeared. The landlord's agent is the spouse of the corporate landlord's owner.

The tenant did not dispute receipt of the dispute resolution package and evidence, or his liability. The agent and tenant agreed to a series of conditions.

Analysis

Pursuant to section 63 of the Act, an arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

During this hearing, the parties reached an agreement to settle their dispute under the following final and binding terms:

1. The landlord agreed to withdraw its applications.
2. The landlord agreed to withdraw the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities.
3. The tenants agreed to:
 - a. provide possession of the rental unit to the landlord on or before 30 December 2014; and

- b. pay \$2,650.00 to the landlord in monthly installments of at least \$200.00 commencing 1 January 2015.

The parties agreed that these particulars comprise the full and final settlement of all aspects of their disputes for both parties.

Conclusion

The landlord's application is withdrawn. The landlord's 10 Day Notice is cancelled.

The monetary order is to be used if the tenant does not pay \$2,650.00 to the landlord in accordance with their agreement. The landlord is provided with this order in the above terms and the landlord should serve the tenant with this order so that it may enforce it in the event that the tenant does not pay the outstanding rent as set out in their agreement. Should the tenant fail to comply with these orders, these orders may be filed in the Small Claims Division of the Provincial Court and enforced as orders of that Court.

The attached order of possession is to be used by the landlord if the tenant does not vacate the rental premises in accordance with their agreement. The landlord is provided with this order in the above terms and the landlord should serve the tenant with this order so that it may enforce it in the event that the tenant does not vacate the premises by the time and date set out in their agreement. Should the tenant fail to comply with this order, this order may be filed and enforced as an order of the Supreme Court of British Columbia.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: December 19, 2014

Residential Tenancy Branch

