



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR, MNR, FF

Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has requested an Order of possession for unpaid rent, a monetary Order for unpaid rent and to recover the filing fee from the tenant for the cost of this Application for Dispute Resolution.

Both parties were present at the hearing. At the start of the hearing I introduced myself and the participants. The hearing process was explained, evidence was reviewed and the parties were provided with an opportunity to ask questions about the hearing process. They were provided with the opportunity to submit documentary evidence prior to this hearing, all of which has been reviewed, to present affirmed oral testimony and to make submissions during the hearing. I have considered all of the evidence and testimony provided.

Mutually Settled Agreement

The landlord and tenant agreed to the following:

- The tenant owes rent for the period up to March 2015 in the sum of \$1,100.00;
- The landlord is holding a security deposit in the sum of \$200.00;
- The tenant did not dispute the 10 day Notice to end tenancy for unpaid rent that he received in early February;
- That the tenant will give the landlord vacant possession of the rental unit at 1 p.m. on March 31, 2015;
- That the landlord is entitled to an Order of possession effective at 1 p.m. on March 31, 2015;
- That the landlord is entitled to a monetary Order in the sum of \$1,100.00 for unpaid rent; less the \$200.00 security deposit.

Section 62(3) of the Act provides:

(3) The director may make any order necessary to give effect to the rights, obligations and prohibitions under this Act, including an order that a landlord or

tenant comply with this Act, the regulations or a tenancy agreement and an order that this Act applies

In support of the mutually settled agreement of the parties I Order the tenant to pay the landlord \$900.00 rent owed to March 2015 and to provide vacant possession of the rental unit at 1 p.m. on March 31, 2015.

As the landlord's application has merit I find the landlord is entitled to recover the \$50.00 filing fee from the tenant.

The landlord has been granted an Order of possession that is effective **at 1 p.m. on March 31, 2015**. This Order may be served on the tenant, filed with the Supreme Court of British Columbia and enforced as an Order of that Court.

Based on these determinations I grant the landlord a monetary Order in the sum of \$950.00. In the event that the tenant does not comply with this Order, it may be served on the tenant, filed with the Province of British Columbia Small Claims Court and enforced as an Order of that Court.

Conclusion

By mutual agreement of the parties the landlord is entitled to an Order of possession and monetary Order for unpaid rent.

The landlord may retain the security deposit.

The landlord is entitled to filing fee costs.

This decision is final and binding on the parties, unless 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: March 23, 2015

Residential Tenancy Branch

