



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** OPR MNR

### **Introduction**

This hearing dealt with an application by the landlord, pursuant to the *Residential Tenancy Act*. The landlord applied for an order of possession pursuant to a notice to end tenancy for unpaid rent. The landlord also applied for a monetary order for unpaid rent in the amount of \$82,301.39. Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

At the start of the hearing the landlord agreed to pursue his monetary claim in a different court and accordingly his monetary claim is dismissed with leave to reapply. This hearing only dealt with the landlord's application for an order of possession.

### **Issues to be decided**

Does the landlord have reason to end the tenancy or should the notice to end tenancy be set aside and the tenancy be allowed to continue?

### **Background and Evidence**

The tenancy started in October 2013. The monthly rent is \$10,000.00 payable on the first of each month. On November 04, 2014, the landlord served the tenant with a notice to end tenancy for nonpayment of rent.

The circumstances surrounding the notice were discussed. During this discussion the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

### **Analysis**

Pursuant to Section 63 of the *Residential Tenancy Act*, the Arbitrator may assist the parties 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 this hearing, the parties reached an agreement to settle their dispute on the following terms:

1. The tenant agreed to move out on or before 1:00 pm on April 30, 2015.
2. The landlord agreed to allow the tenancy to continue until April 30, 2015.
3. An order of possession will be issued to the landlord effective this date.
4. Both parties stated that they understood and agreed that these particulars comprise the full and final settlement of all aspects of this dispute for both parties.

### **Conclusion**

I grant the landlord an order of possession effective on or before **1:00 pm on April 30, 2015.**

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: April 09, 2015

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Residential Tenancy Branch

