



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding A A PROPERTY MANAGEMENT LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

OPR MNR

Introduction

This hearing was convened as a result of the landlord's application for dispute resolution under the *Residential Tenancy Act* (the "Act") which was originally applied for through the Direct Request process for an order of possession for unpaid rent or utilities, and for a monetary order for unpaid rent or utilities.

On August 5, 2015, an adjudicator wrote an interim decision adjourning the landlord's original Application for Dispute Resolution submitted through the Direct Request process to a participatory hearing scheduled for this date, September 14, 2015. The interim decision dated August 5, 2015 should be read in conjunction with this decision.

The tenant, an agent for the landlord (the "agent") and a caretaker for the landlord attended the adjourned hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me. The parties confirmed that the named landlord company is representing the owner of the rental unit.

Settlement Agreement

During the hearing, the parties agreed to settle these matters, on the following conditions:

1. The parties agree that the tenant owes the landlord **\$4,450** comprised of \$4,400 in rent arrears for the months of June through September 2015 inclusive at \$1,100 per month, plus the \$50 filing fee.
2. The landlord is granted an order of possession **effective September 18, 2015 at 5:00 p.m.** which the landlord agrees not to serve on the tenant if the full payment of \$4,450 described in #1 above, is paid by money order or cash by the tenant to the landlord on or before September 18, 2015 by 4:00 p.m.
3. The landlord is granted a monetary order pursuant to section 67 of the *Act* in the amount of **\$4,450** which will be of no force or effect if the tenant pays the landlord in accordance

with #1 and #2 above, and the payment of \$4,450 has been received in full by the landlord from the tenant by September 18, 2015 by 4:00 p.m.

4. The landlord agrees to withdraw their application in full as part of this mutually settled agreement.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Conclusion

I order the parties to comply with the terms of their settlement agreement described above.

The landlord is granted an order of possession effective September 18, 2015 at 5:00 p.m. which the landlord agrees not to serve on the tenant if the full payment of \$4,450 described in #1 above, is paid by money order or cash by the tenant to the landlord on or before September 18, 2015 by 4:00 p.m. Should the landlord need to enforce the order of possession, the landlord must serve the order of possession on the tenant and the order of possession may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

The landlord is granted a monetary order pursuant to section 67 of the *Act* in the amount of \$4,450 which will be of no force or effect if the tenant pays the landlord in accordance with #1 and #2 above, and the payment of \$4,450 has been received in full by the landlord from the tenant by September 18, 2015 by 4:00 p.m. Should the landlord need to enforce the monetary order, the monetary order must be served on the tenant and may be filed in the Provincial Court (Small Claims) and enforced as an order of that court.

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: September 14, 2015

Residential Tenancy Branch

