



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPR, MNR

### Introduction

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the "Act") for Orders as follows:

1. An Order of Possession - Section 55; and
2. A Monetary Order for unpaid rent - Section 67.

The Landlord and Tenant were each given full opportunity to be heard, to present evidence and to make submissions. During the Hearing the parties reached an agreement to settle the dispute.

### Agreed Facts

The tenancy started on March 1, 2010. Rent of \$1,250.00 is payable monthly on the first day of each month. The Tenant owed arrears and failed to pay rent for July 2015 and the Landlord served the Tenant with a 10 day notice for unpaid rent in the amount of \$13,250.00. The Tenant paid rent of \$400.00 for each of September and October 2015.

### Settlement Agreement

Section 63 of the Act is set out as follows:

- (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order.

**The Parties mutually agree as follows:**

- 1. The Landlord waives claim to all rents owed to and including August 2015;**
- 2. As of September 1, 2015 the Tenant will pay monthly rent of \$400.00 on the first day of each month;**
- 3. The tenancy will end on or before January 31, 2016; and**
- 4. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above. In order to give effect to the agreement I provide the Landlord with an order of possession.

Conclusion

The Parties have settled the dispute. **I grant** an Order of Possession to the Landlord effective January 31, 2016.

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: October 13, 2015

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Residential Tenancy Branch

