



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Wall Management
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This hearing was convened by way of conference call concerning an application made by the landlord for an Order of Possession and a monetary order for unpaid rent or utilities, for an order permitting the landlord to keep all or part of the pet damage deposit or security deposit, and to recover the filing fee from the tenants for the cost of the application.

An agent for the landlord company and one of the named tenants attended the hearing, who also represented the other named tenant.

During the course of the hearing, the parties agreed to settle this dispute in the following terms:

1. The tenants will pay to the landlord the sum of \$1,000.00 towards rental arrears by December 31, 2015;
2. The landlord will have an Order of Possession on 2 days notice to the tenant, however will not serve it on the tenants unless the tenants fail to pay \$1,000.00 by December 31, 2015;
3. If the tenants pay to the landlord the sum of \$1,000.00 by December 31, 2015, the Order of Possession is null and void and unenforceable, the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated October 13, 2015 is cancelled, and the tenancy continues;
4. The tenants will pay to the landlord an additional \$937.50 toward rental arrears by January 15, 2016, and if the tenants fail to do so, the landlord will be at liberty to issue a notice to end the tenancy;
5. The tenants will pay to the landlord \$700.00 for February's rent on February 1, 2016 and if the tenants fail to do so, the landlord will be at liberty to issue a notice to end the tenancy;

6. The tenants will pay to the landlord an additional \$937.50 toward rental arrears by February 15, 2016 and if the tenants fail to do so, the landlord will be at liberty to issue a notice to end the tenancy.

Conclusion

For the reasons set out above, and by consent, I hereby order the tenants to make the monetary payments to the landlord as set out above. I hereby grant an Order of Possession in favour of the landlord on 2 days notice to the tenants and order that the landlord not serve the Order of Possession on the tenants unless the tenants fail to pay to the landlord the sum of \$1,000.00 on or before December 31, 2015. If the tenants make the payment of \$1,000.00 on or before December 31, 2015, the Order of Possession is null and void and unenforceable.

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: December 23, 2015

Residential Tenancy Branch

