



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes

MNDC, MNR, OPR, FF

Introduction

This hearing was convened in response to cross-applications by the tenant and landlord for monetary orders and an Order of Possession for the landlord. Both parties attended the conference call hearing and provided their submissions and their testimony and were permitted to discuss their dispute.

During the course of the hearing, the parties discussed their dispute and turned their minds to compromise. The parties reached agreement, choosing to settle all their matters for all time, *in full satisfaction of their respective claims and to the parties' mutual satisfaction*, on the following conditions, and on their confirmation and at their request that I record the parties' settlement as follows.

1. The tenant and landlord (the parties) agree that the tenant owes the rent for November and December 2015.
2. The parties agree the tenant will pay \$838.00 for November 2015 rent, and \$650.00 for December 2015 rent, in the sum amount of **\$1488.00**.
3. The parties agree that so as to perfect this agreement, the landlord will receive a **Monetary Order** in the agreed amount owed to the landlord.
4. If the parties act on their agreement and the tenant pays the landlord the agreed amount, the Monetary Order becomes null and of no effect.
5. The parties agree they have fully resolved the administration of the security deposit to their satisfaction, and the tenant vacated the rental unit December 31, 2015. The parties agree the landlord has de-facto possession and effectively regained possession of the unit. None the less, the parties agree the landlord

will receive an Order of Possession for the rental unit for the sole benefit of the landlord.

Conclusion

I grant the landlord a **Monetary Order** under Section 67 of the Act in the amount of **\$1488.00**. The landlord is given this Order. If the tenant does pay the landlord the agreed amount, the landlord may serve the Order on the tenant. If necessary, the Order may be filed in Small Claims Court and enforced as an order of that court.

I grant an Order of Possession to the landlord effective forthwith upon service on the tenant. The tenant must be served with this **Order of Possession**. Should the tenant fail to comply with the Order, the Order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

This Decision and settlement agreement is final and binding on both parties.

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: January 06, 2016

Residential Tenancy Branch

