



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes Landlord: OPR, MNR, FF
Tenant: CNR, FF

Introduction

This hearing dealt with cross Applications for Dispute Resolution. The landlord sought an order of possession and a monetary order. The tenant sought to cancel a notice to end tenancy.

The hearing was conducted via teleconference and was attended by the landlord and the tenant.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to an order of possession for unpaid rent; to a monetary order for unpaid rent; and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to Sections 46, 55, 67, and 72 of the *Residential Tenancy Act (Act)*.

It must also be decided if the tenant is entitled to cancel a 10 Day Notice to End Tenancy for Unpaid Rent and to recover the filing fee from the landlord for the cost of the Application for Dispute Resolution, pursuant to Sections 46, 67, and 72 of the *Act*.

Background and Evidence

During the hearing the parties reached the following settlement:

- The tenant must arrange and provide payment to the landlord for all rental arrears in the amount of \$5,900.00 no later than February 1, 2016;
- The tenant must arrange to have an agency manage her rental payments and ensure they will be made on an ongoing basis no later than February 1, 2016; and
- Should the tenant fail to comply with the requirements set out above, the tenant must vacate the rental unit.

Conclusion

In support of this settlement and with agreement of both parties, I grant the landlord an order of possession effective **February 1, 2016 after service on the tenant**. This order must be served on the tenant and **only if the tenant fails to comply with the above noted settlement**. If the tenant fails to comply with this order the landlord may file the order with the Supreme Court of British Columbia and be enforced as an order of that Court.

Also in support of this settlement and with agreement of both parties, I grant the landlord a monetary order in the amount of **\$5,900.00**. This order must be served on the tenant to be enforced **only if the tenant fails to comply with the above noted settlement**. If the tenant fails to comply with this order the landlord may file the order in the Provincial Court (Small Claims) and be enforced as an order of that Court.

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 19, 2016

Residential Tenancy Branch

