



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- an order of possession for failure to pay rent pursuant to section 55;
- a monetary order for unpaid rent pursuant to section 67;

All named parties attended the hearing. The tenant acknowledged service of the application for dispute resolution package including the Notice of Hearing and evidence.

During the hearing, the parties expressed an interest and were successful in resolving this dispute by mutual agreement. I agreed to assist the parties in settling their dispute in accordance with section 63 of the *Act*.

Analysis

Pursuant to section 63 of the *Act*, an arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The landlord agrees to withdraw the 10 day Notice to End Tenancy served on March 8, 2016 for unpaid rent.
2. The landlord and tenant agree **that this tenancy will end no later than Tuesday, May 31, 2016**, and,

3. The landlord will receive an **Order of Possession** effective **May 31, 2016**.
4. The tenant agrees to pay to the landlord **\$550.00 on or before 11:00 a.m. on April 28, 2016 and \$275.00 on or before May 15, 2016**. The tenant further agrees that the landlord is entitled to a **Monetary Order** for **\$825.00** which represents a total of these amounts and that the enforceable portion of this order will be reduced in accordance with any payments made to the landlord.

Each party confirmed that they understood the terms of the agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute. **This Decision and Settlement Agreement is final and binding on both parties.**

Conclusion

The landlord's 10 Day Notice to End Tenancy is withdrawn.

I grant an Order of Possession to the landlord effective **1:00 p.m. on Tuesday, May 31, 2016**. Should the tenant(s) fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

Pursuant to section 67 of the *Act*, I grant the landlord a Monetary Order in the amount of **\$825.00**. Should the tenant fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order of that Court. The monetary order is to be enforced only if the tenant does not pay the \$825.00 to the landlord in accordance with this agreement.

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: April 28, 2016

Residential Tenancy Branch