



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, MNDC, MNSD, FF  
MT, CNR

### Introduction

This hearing was convened by way of conference call this date, having been adjourned by consent from August 25, 2016, concerning applications made by the landlords and by the tenant. The landlords have applied for an Order of Possession and a monetary order for unpaid rent or utilities; for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement; for an order permitting the landlords to keep all or part of the pet damage deposit or security deposit; and to recover the filing fee from the tenant for the cost of the application. The tenant has applied for more time than prescribed to dispute a notice to end the tenancy; for an order cancelling a notice to end the tenancy for unpaid rent or utilities; and to recover the filing fee from the landlords.

Both landlords and the tenant attended the hearing, during which the parties agreed to settle this dispute in the following terms:

1. The agreement dated July 1, 2016 between the parties is null and void;
2. Rent is set at \$700.00 per month;
3. The arrears of rent in the amount of \$1,760.00 from February to June, 2016 are forgiven;
4. The landlords will have a monetary order in the amount of \$2,100.00 as recovery of unpaid rent for July, August and September, 2016;
5. The landlords will have an Order of Possession on 2 days notice to the tenant but will not serve it on the tenant unless the tenant fails to pay rent on the 1<sup>st</sup> day of each month commencing with October 1, 2016.

Since the parties have settled this dispute, I decline to order that either party recover the filing fees.

### Conclusion

For the reasons set out above, and by consent, I hereby grant a monetary order in favour of the landlords as against the tenant pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$2,100.00.

I further grant an Order of Possession in favour of the landlords on 2 days notice to the tenant and I order that the landlords not serve it on the tenant unless the tenant fails to pay rent on the 1<sup>st</sup> day of each month, or sooner, commencing with the month of October, 2016, in the amount of \$700.00.

I further order the parties to comply with the settlement agreement set out above.

These orders are final and binding and may be enforced.

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: August 31, 2016

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Residential Tenancy Branch