



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CITY OF VANCOUVER
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR

Introduction

This hearing dealt with the landlord's application pursuant to the Residential Tenancy Act ("the Act") for an Order of Possession for Unpaid Rent pursuant to section 55. Both parties attended the hearing and were given a full opportunity to be heard, to present their sworn testimony, and to make submissions. The tenant acknowledged receipt of the 10 Day Notice to End Tenancy for Unpaid Rent as well as the landlord's Application for Dispute Resolution. Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Background and Evidence

This tenancy began in 2014 with a rental amount of \$755.00 payable on the first of each month. Both parties agree that, as of the date of this hearing, the tenants owe \$2870.00 in rental arrears. The landlord testified that the parties have been making ongoing efforts to create a payment arrangement to pay the outstanding amount. The tenant who attended this hearing testified that she and her co-tenant are able to pay the outstanding rental amount by November 1, 2016.

Analysis

Pursuant to section 63 of the Act, the 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. Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a decision:

The Parties mutually agreed as follows:

1. The tenants agreed to pay October 2016 in accordance with the residential tenancy agreement and the Act by paying it in full (\$755.00) on October 1, 2016.
2. The tenants agreed to pay the landlord \$700.00 on or before October 31, 2016.
3. The tenants agreed to pay \$2170.00, the balance of rental arrears owed by the tenants, on or before November 1, 2016.
4. The parties agree that, if the tenants are unable to meet the payment arrangement above, the tenants will vacate the rental unit at the request of the landlord.
5. These terms comprise the full and final settlement of all aspects of this dispute for both parties.

Conclusion

To give effect to the settlement reached between the parties, the landlord is provided with a formal copy of an Order of Possession effective November 1, 2016 **to be used only in the event** that the tenants fail to meet the terms of the payment arrangement set out above. 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.

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: September 21, 2016

Residential Tenancy Branch