



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNC, OPR, MND, MNR, MNSD, FF

This hearing was to deal with the landlord's application for an order of possession based upon a 10 Day Notice to End Tenancy for Non-Payment of Rent, a monetary order and an order permitting retention of the security deposit in partial satisfaction of the claim; and the tenant's application for orders setting aside a 1 Month Notice to End Tenancy for Cause and granting him more time in which to file that application. Both parties appeared and had an opportunity to be heard.

The parties agreed that:

- If the tenant complies with the payment schedule set out below the tenancy will continue to September 30, 2016, at which time the tenant will vacate the rental unit.
- The tenant will pay the August rent of \$1100.00 in full, either by cash or certified money order on or before 5:00 pm, on Friday, September 2, 2016; and the September rent of \$1100.00 in full, either by cash or certified money order on or before 5:00 pm, on Tuesday, September 6, 2016. The payments are to be made to the landlord or her son.

If any payment is not made as required by this decision, the landlord may exercise its rights under the Order of Possession that is provided with this decision. The landlord is not reinstating the tenancy by accepting any payment from the tenants. It is only if the tenants make all the payments on the same terms as set out in this decision that the tenancy will continue until September 30, 2016. Should the tenant fail to comply with this decision, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

I also grant the landlord a monetary order pursuant to section 67 in the amount of \$2200.00. If the tenant fails to make the payments as set out in this decision the order may be filed in the Small Claims Court and enforced as an order of that court.

Both parties will bear the costs of their respective applications.

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 01, 2016

Residential Tenancy Branch