



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR MNR FF

### Introduction

This hearing dealt with the Landlord's Application for Dispute Resolution, received at the Residential Tenancy Branch on September 29, 2016 (the "Application"). The Landlord applied for the following relief pursuant to the *Residential Tenancy Act* (the "Act"):

- an order of possession for unpaid rent or utilities;
- a monetary order for unpaid rent or utilities; and
- an order granting recovery of the filing fee.

The Landlord was represented at the hearing by D.L. The Tenant attended the hearing on his own behalf. Both D.L. and the Tenant provided their solemn affirmations. Although T.M., an occupant of the rental unit, also attended the hearing with the Tenant, she ultimately disconnected from the hearing and did not return, as described below.

### Preliminary and Procedural Matters

During the hearing, T.M., whose name did not appear on the written tenancy agreement or the Landlord's Application, repeatedly interrupted the proceedings. T.M. is an occupant of the rental unit. She is not a party to the dispute and has no standing. T.M. was cautioned on several occasions to stop interrupting the proceeding so the oral testimony of the parties could be heard. Following one such caution, the occupant T.M. disconnected from the hearing and did not return. The Tenant proceeded to resolve the Landlord's claim as outlined below.

### Settlement Agreement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement, which would be documented in my Decision and attached order.

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The Tenant agrees to pay the Landlord \$25.65 by December 1, 2016;
2. The Tenant agrees to pay the Landlord \$100.00 by December 15, 2016;
3. The Tenant agrees to pay future utility bills upon being provided with a copy by the Landlord; and
4. The Landlord agrees to withdraw this claim in full as part of this settlement agreement.

This settlement agreement was reached in accordance with section 63 of the *Act*.

### Conclusion

In support of this settlement, and with the agreement of the parties, the Landlord is granted a monetary order in the amount of \$125.65. The order will be of no force or effect if the Tenant makes the payments described above. Should the Tenant fail to make any payment as agreed, the Landlord will be at liberty to file and enforce the monetary order in the Provincial Court of British Columbia (Small Claims).

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: November 22, 2016

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Residential Tenancy Branch