



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION AND RECORD OF SETTLEMENT**

Dispute Codes      OPR, MNR, MND

At the outset of the hearing the parties testified that the tenant had vacated the rental unit on January 17, 2017. Consequently the landlord testified that she no longer required an order of possession. Accordingly, this portion of the landlord's claim is dismissed.

The landlord continued with their claim for a monetary order for unpaid rent. Section 63 of the *Act* provides that if the parties settle their dispute during a hearing the Director may record the settlement in the form of a Decision or an Order.

Pursuant to the above provision, discussion between the parties during the hearing led to a settlement / resolution. Specifically, the parties agreed and confirmed as follows:

1. The tenant and landlord agree that payment of \$1,352.37 in rent arrears and damage will be made in four payments in accordance with the following payment plan:
  - i. The first payment in the amount of \$338.00 will be made before or on February 20, 2017;
  - ii. The second payment in the amount of \$338.00 will be made before or on March 20, 2017;
  - iii. The third payment in the amount of \$338.00 will be made before or on April 20, 2017; and
  - iv. The fourth payment in the amount of \$338.37 will be made before or on May 20, 2017.
2. The tenant and landlord agree that if the tenant fails to make a payment within the time stipulated above, such failure constitutes a default, making the unpaid balance of the rent arrears and damage immediately due and owing.
3. The landlord will receive four monetary orders as described below. The landlord consented that the landlord would not enforce a monetary order if the tenant paid within the time stipulated above.

In order to perfect Part 2 (i) above, I grant the landlord a monetary order in the amount of \$1,352.37. The tenant must be served with this order if the tenant fails to pay the first payment as described above.

In order to perfect Part 2 (ii) above, I grant the landlord a monetary order in the amount of \$1,014.37. The tenant must be served with this order if the tenant fails to pay the second payment as described above.

In order to perfect Part 2 (iii) above, I grant the landlord a monetary order in the amount of \$676.37. The tenant must be served with this order if the tenant fails to pay the third payment described above.

In order to perfect Part 2 (iv) above, I grant the landlord a monetary order in the amount of \$338.37. The tenant must be served with this order if the tenant fails to pay the fourth payment as described above.

The above particulars comprise **full and final settlement** of all aspects of the dispute arising from this application.

**This Decision, Monetary Orders and Settlement Agreement are final and binding on both parties.**

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: January 30, 2017

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Residential Tenancy Branch