



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution seeking an order of possession and a monetary order.

The hearing was conducted via teleconference and was attended by the landlord's agent and the tenant.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to an order of possession for unpaid rent; to a monetary order for unpaid rent; for all or part of the security deposit and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to Sections 38, 46, 55, 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

During the hearing the parties reached the following settlement:

1. The tenants agree to pay the all outstanding rent and the filing fee for this Application in the amount of \$2,752.00 no later than the end of business on February 7, 2017 (plus rent that becomes due on February 1, 2017;
2. The tenants agree that should they fail to pay all outstanding rent by February 7, 2017 they will vacate the rental unit on or before February 28, 2017;
3. The parties agree that should the tenants fail to pay all outstanding rent by February 7, 2017 the landlord will apply the currently held security and pet damage deposits totalling \$2,600.00 to the outstanding rent owed.

Conclusion

In support of this settlement and by agreement of both parties I issue to the landlord an order of possession effective **February 28, 2017 after service on the tenant**. This order must be served on the tenant. If the tenant fails to comply with this order the landlord may file the order with the Supreme Court of British Columbia and be enforced as an order of that Court.

I note the above order of possession is only enforceable should the tenant fail to pay the outstanding rent by February 7, 2017.

Also in support of this settlement and by agreement of both parties I issue to the landlord a monetary order in the amount of **\$2,752.00** enforceable only should the tenant fail to pay the outstanding rent by February 7, 2017. I note, that if the tenant has not paid the outstanding rent the landlord has agreed to apply the deposits held totally \$2,600.00 in partial satisfaction of this monetary order.

This order must be served on the tenants. If the tenants fail to comply with this order the landlord may file the order in the Provincial Court (Small Claims) and be enforced as an order of that Court.

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

Residential Tenancy Branch