



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 pursuant to the *Residential Tenancy Act* (the "Act") for:

- an order of possession for failure to pay rent pursuant to section 55;
- a monetary order for unpaid rent pursuant to section 67;
- authorization to recover the filing fee for this application pursuant to section 72.

All named parties attended the hearing. During the hearing, the parties expressed an interest and were successful in resolving this dispute by mutual agreement.

Terms of Settlement

Pursuant to section 63 of the Act, an 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.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The parties agree that the tenant is in rent arrears as of the hearing date for a total of \$2150.00.
2. The tenant agrees to pay to the landlord a lump sum payment of \$1000.00 on or before May 27, 2017.
3. The tenant agrees to pay to the landlord the remaining arrears balance of \$1150.00 plus \$750.00 for June 2017 rent on or before June 23, 2017.
4. The landlord is granted a Monetary Order for the full arrears amount of \$2150.00 (not including future rent for June 2017 that may or may not become payable) and the enforceable portion of this order will be reduced in accordance with any payments made to the landlord.

5. The tenant and landlord agree this tenancy will continue only **on condition** that the tenant adheres to the payment schedule as stipulated above. The landlord is granted an **Order of Possession** effective **two days after service of the Order** on the tenant which is to be enforced only if the tenant does not adhere to the payment schedule as stipulated above.

Each party confirmed that this agreement was reached voluntarily and that they understood the terms of the agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute.

This Decision and Settlement Agreement is final and binding on both parties.

Conclusion

Subject to the conditions described above, I grant an Order of Possession to the landlord effective **two days after service of the Order** on the tenant. 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.

Pursuant to section 67 of the *Act* and subject to the conditions described above, I grant the landlord a Monetary Order in the amount of **\$2150.00**. Should the tenant fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and 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: May 25, 2017

Residential Tenancy Branch