



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Lu'ma Native Housing BCH Society
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR, MNR, MNSD, FF

Introduction

This hearing was convened by way of conference call concerning an application made by the landlord seeking an Order of Possession and a monetary order for unpaid rent or utilities; an order permitting the landlord to keep all or part of the pet damage deposit or security deposit; and to recover the filing fee from the tenant for the cost of the application.

An agent for the landlord and the tenant attended the hearing, and the tenant was accompanied by an Advocate.

During the course of the hearing the parties agreed to settle this dispute in the following terms:

1. the landlord withdraws the application for a monetary order for unpaid rent or utilities;
2. the landlord withdraws the application for an order permitting the landlord to keep all or part of the pet damage deposit or security deposit;
3. the landlord will have an Order of Possession effective on 2 days notice to the tenant, but will not serve or attempt to enforce the Order of Possession if the tenant pays the full sum of rent for the month of July, 2017 of \$376.00;
4. if the tenant fails to pay that sum by July 1, 2017, the landlord may enforce the Order of Possession;
5. If the tenant pays the sum of \$376.00 for July's rent by July 1, 2017, the Order of Possession shall become null and void.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

Since the parties have settled this dispute, I decline to order that the landlord recover the filing fee from the tenant.

Conclusion

For the reasons set out above, and by consent, I hereby grant an Order of Possession in favour of the landlord effective on 2 days notice to the tenant, and I order that the landlord not serve it or attempt to enforce it if the tenant pays rent in full for the month of July, 2017 on or before July 1, 2017. If the tenant pays the sum of \$376.00 for July's rent on or before July 1, 2017, the Order of Possession shall become null and void.

The landlord's application for a monetary order for unpaid rent or utilities is hereby dismissed as withdrawn.

The landlord's application for an order permitting the landlord to keep the security deposit or pet damage deposit is also dismissed as withdrawn.

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: June 28, 2017

Residential Tenancy Branch