



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, FF

Introduction

This hearing dealt with a landlord's application for an Order of Possession for unpaid rent based on a 10 Day Notice to End Tenancy for Unpaid Rent served upon the tenant on July 4, 2017. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

During the hearing, the parties turned their minds to resolving this matter by way of a mutual agreement. I have recorded the mutual agreement by way of this decision and the Orders that accompany it.

Issue(s) to be Decided

What are the terms mutually agreed upon during the hearing?

Background and Evidence

During the hearing the parties mutually agreed upon the following terms in resolution of this matter:

1. The tenancy shall continue until August 31, 2017 at which time the tenant will return vacant possession of a reasonably clean rental unit to the landlord.
2. The tenant shall pay \$700.00 in rent to the landlord for the month of August 2017.
3. The security deposit of \$350.00 shall continue to be held in trust for the tenant to be administered in accordance with section 38 of the Act.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to the agreement in the form of a decision or order.

I have accepted the mutual agreement reached by the parties during this hearing and I make the terms an Order to be binding upon both parties.

In recognition of the mutual agreement I provide the landlord with the following orders:

1. An Order of Possession effective at 1:00 p.m. on August 31, 2017; and,
2. A Monetary Order in the amount of \$700.00.

Having been satisfied the tenancy had ended pursuant to the 10 Day notice and the landlord was entitled to an Order of Possession I award the landlord recovery of the \$100.00 filing fee the landlord paid for this application. The landlord is hereby authorized by way of this decision to deduct \$100.00 from the tenant's security deposit in order to satisfy this award.

Conclusion

The parties reached a mutual agreement in resolution of this matter that I have recorded by way of this decision and the Orders that accompany it. In recognition of the mutual agreement, the landlord has been provided an Order of Possession effective at 1:00 p.m. on August 31, 2017 and a Monetary Order in the amount of \$700.00. I have also authorized the landlord to deduct \$100.00 from the tenant's security deposit to recover the filing fee paid for this application.

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: August 15, 2017

Residential Tenancy Branch