



# 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 was scheduled to deal with the landlord's application for an Order of possession and Monetary Order for unpaid rent. 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 reached a mutual agreement with a view to continuing this tenancy. 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 of the mutual agreement?

### Background and Evidence

During the hearing, the parties reached a mutual agreement with a view to continuing this tenancy, with the following terms:

1. The tenancy shall continue provided the tenant satisfies the current rental arrears by November 10, 2017. It is agreed that the tenant currently owes the landlord rental arrears in the sum of \$4,474.46 for the months up to and including October 2017. The tenant shall pay this amount to the landlord, plus \$100.00 for the filing fee paid by the landlord for this application, no later than November 10, 2017. If the tenant fails to comply with this term, the tenancy is at an end and the landlord may serve the tenant with the Order of Possession that is provided to the landlord with this decision. The landlord is also provided a Monetary Order in the amount of \$4,575.46 that the landlord may serve and enforce upon the tenant if the tenant fails to comply with this term.
2. The tenant shall pay rent for November 2017 and every month hereafter until such time the tenancy legally ends, on time and in full. It is agreed that the rent is due on the first day of every month and the rent is currently set at \$374.94 per month.

### Analysis

Pursuant to section 56 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record the agreement in the form of a decision or order.

I have accepted and recorded the terms of 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 two conditional Orders that may be served and enforced upon the tenant in the event the tenant does not pay the sum of \$4,574.46 to the landlord on or before November 10, 2017. This sum does not include the rent of \$374.94 that is due and remains payable on November 1, 2017. The two conditional orders are as follows:

- An Order of Possession effective two (2) days after service upon the tenant; and,
- A Monetary Order in the sum of \$4,574.46.

### Conclusion

The parties reached a mutual agreement during the hearing with a view to continuing the tenancy that I have recorded by way of this decision and the Orders that accompany it. Continuation of the tenancy is conditional upon the tenant paying rental arrears and the filing fee in the sum of \$4,574.46 to the landlord on or before November 10, 2017. I provide to the landlord an Order of Possession and a Monetary Order that may be served and enforced upon the tenant in the event the tenant fails to fulfill his obligation to pay \$4,574.46 to the landlord by November 10, 2017.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: October 10, 2017

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Residential Tenancy Branch