



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding METRO VANCOUVER HOUSING CORPORATION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

MNDC, FF

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for a monetary order to recover the cost of the services of a bailiff and for the recovery of the filing fee.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions. The tenant acknowledged receipt of evidence submitted by the landlord. Both parties gave affirmed testimony.

During the hearing the landlord agreed to withdraw her claim for the recovery of the filing fee.

Issues to be decided

Is the landlord entitled to a monetary order to recover the cost of using the services of a bailiff?

Background and Evidence

The tenancy started on January 01, 2007 and ended on March 28, 2017, pursuant to an order of possession obtained by the landlord. The circumstances around the end of tenancy and the need for the services of the bailiff were discussed. The tenant agreed that she was responsible for the cost of the bailiff's services in the amount of \$2,738.76. During the hearing, the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the Arbitrator may assist the parties 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. During this hearing, the parties reached an agreement to settle their dispute under the following terms.

- The tenant agreed that she owed the landlord \$2738.76. A monetary order will be granted to the landlord in this amount
- The landlord agreed to accept payment in 12 installments of \$228.00 starting on March 01, 2018 and continuing on the first of each month until the last payment is made on February 01, 2019.
- The tenant agreed to make payment as per the agreed upon monthly schedule.
- Both parties acknowledged that they understood and agreed with the above terms of their agreement.

The tenant and the landlord have reached a settled agreement, as recorded above. This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

Conclusion

I grant the landlord a monetary order in the amount of \$2,738.76.

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: February 09, 2018

Residential Tenancy Branch