



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes OPR, OPC, MNR-S, MNDCL-S, FFL

The landlord sought an order of possession for unpaid rent and cause, a monetary order for unpaid rent, money owed or compensation for damage or loss under the *Residential Tenancy Act* (the “Act”), regulation or tenancy agreement, authorization to retain all or part of the security deposit and recovery of the filing fee. Section 63 of the *Act* provides that if the parties settle their dispute during a hearing the Director may record the settlement in the form of a decision or an order.

Pursuant to the above provision, discussion between the parties during the hearing led to a settlement / resolution. Specifically, the parties agreed and confirmed as follows;

1. The tenant and landlord agree the tenant will pay the landlord rent arrears in the amount of \$1,885.00 and filing fee in the amount of \$100.00 for a total of **\$1,985.00** no later than 4:30 p.m. on Friday September 28, 2018;
2. The landlord will receive a monetary order in the agreed amount of \$1,985.00, which order will become null and of no effect if the tenant pays this amount by 4:30 p.m. on Friday September 28, 2018;
3. The landlord will receive an order of possession effective October 1, 2018 at 1:00 p.m. The landlord consented that the landlord would not enforce the order of possession if the tenant paid \$1,985.00 no later than 4:30 p.m. on Friday September 28, 2018;
4. If the tenant pays this amount as described, the parties will enter into a mutual agreement to end tenancy effective October 31, 2018 at 1:00 p.m; and
5. The landlord will receive an order of possession effective October 31, 2018 at 1:00 p.m.

So as to perfect this settlement agreement, I grant the landlord an order of possession, effective 1:00 p.m. October 1, 2018. The tenant must be served with this order. If the landlord serves the order of possession on the tenant and the tenant fails to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that court.

So as to perfect this settlement agreement, I grant the landlord an order of possession, effective 1:00 p.m. October 31, 2018. The tenant must be served with this order. If the landlord serves the order of possession on the tenant and the tenant fails to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that court.

So as to perfect this settlement agreement, the landlord is given a monetary order to reflect the agreed amount of \$1,985.00 to the tenant. Should it be necessary, this order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that court.

The above particulars comprise **full and final settlement** of all aspects of the dispute arising from this application.

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

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: September 20, 2018

Residential Tenancy Branch