



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

<u>Dispute Codes</u>	Landlord:	MNR OPR FF
	Tenant:	CNR MT

Introduction

This hearing dealt with cross Applications for Dispute Resolution filed by the parties under the *Residential Tenancy Act* (the “*Act*”).

The Landlord’s Application for Dispute Resolution was made on October 22, 2018 (the “Landlord’s Application”). The Landlord applied for the following relief, pursuant to the *Act*:

- a monetary order for unpaid rent or utilities;
- an order of possession for unpaid rent or utilities; and
- an order granting recovery of the filing fee.

The Tenant’s Application for Dispute Resolution was made on October 15, 2018 (the “Tenant’s Application”). The Tenant applied for the following relief, pursuant to the *Act*:

- an order cancelling a notice to end tenancy for unpaid rent or utilities; and
- an order granting more time to make the Tenant’s Application.

The Landlord attended the hearing on his own behalf. The Tenant attended the hearing and was assisted by N.V., an articulated student. The Landlord and the Tenant provided a solemn affirmation at the beginning of the hearing.

Settlement Agreement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement, which would be documented in my Decision and attached orders.

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The Tenant agrees to pay the Landlord \$4,450.00 in two installments, as follows:
 - a. \$1,450.00 on or before December 1, 2018 (on account of December rent); and
 - b. \$3,000.00 on or before December 7, 2018 (on account of rent arrears and the filing fee paid to make the Landlord's Application)
(the "Settlement Payments").
2. The parties agree that if the Settlement Payments are not received by the Landlord as agreed, the Landlord is at liberty to reapply for an order of possession under the *Act*.
3. The parties agree that the tenancy will continue until otherwise ended in accordance with the *Act*.
4. The parties agreed to withdraw their respective Applications as part of this settlement.

This agreement was reached in accordance with section 63 of the *Act*.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

In support of the settlement, and with the agreement of the parties, the Landlord is granted a monetary order in the amount of \$4,450.00, which will be of no force or effect once the Settlement Payments are made as agreed. If necessary, the monetary order may be filed in and enforced as an order of the Provincial Court of British Columbia (Small Claims).

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: November 23, 2018

Residential Tenancy Branch