



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes CNR

The tenant sought to cancel the landlord's 10 Day notice to end tenancy for unpaid rent. 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 to set aside the 10 Day Notice;
2. the tenant and landlord agree that this tenancy will continue until it is ended in accordance with the *Act*;
3. The tenant and landlord agree that payment of \$3,750.00 will be made by the tenant in three payments in accordance with the following payment plan:
 - i. The first payment in the amount of \$1,750.00 will be made before or on December 7, 2018;
 - ii. The second payment in the amount of \$1,750.00 will be made before or on December 23, 2018;
 - iii. The third payment in the amount of \$250.00 will be made before or on January 1, 2019;
4. The tenant and landlord agree that if the tenant fails to make a payment within the time stipulated above, such failure constitutes a default, making the unpaid balance immediately due and owing;
5. The landlord will receive three monetary orders as described below. The landlord consented that the landlord would not enforce a monetary order if the tenant paid within the time stipulated above.

In order to perfect Part 2 (i) above, I grant the landlord a monetary order in the amount of \$3,750.00. The tenant must be served with this order if the tenant fails to pay the first payment as described above.

In order to perfect Part 2 (ii) above, I grant the landlord a monetary order in the amount of \$2,000.00. The tenant must be served with this order if the tenant fails to pay the second payment as described above.

In order to perfect Part 2 (iii) above, I grant the landlord a monetary order in the amount of \$250.00. The tenant must be served with this order if the tenant fails to pay the third payment described above.

The above particulars comprise **full and final settlement** of all aspects of the dispute arising from this application. **This Decision, Monetary Orders and Settlement Agreement are 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: December 03, 2018

Residential Tenancy Branch