



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding HEATHER RIDGE APTS  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPR, MNRL-S, FFL

### Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "**Act**") for:

- authorization to retain all or a portion of the tenant's security deposit in partial satisfaction of the monetary order requested pursuant to section 38;
- an order of possession for non-payment of rent pursuant to section 55;
- authorization to recover its filing fee for this application from the tenant pursuant to section 72;

Both parties in attendance were given a full opportunity to be heard, to present their affirmed testimony, to make submissions and to call witnesses.

### Analysis

Pursuant to section 63 of the Act, the Arbitrator may assist the parties to 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 the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute:

1. The tenant will deliver vacant possession of the rental unit to the landlord by 1:00pm March 15, 2019.
2. The tenant will pay the landlord \$458.43, representing unpaid rent and the landlord's filing fee.

These particulars comprise the full and final settlement of all aspects of this dispute for the attending parties. The parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as legal, final and binding, which settle all aspects of this dispute between these two parties.

### Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the settlement reached between the tenant and the landlord and as discussed with them during the hearing, I issue the following orders:

1. A monetary order ordering the tenant to pay the landlord \$458.43; and
2. An order of possession ordering the tenant to deliver vacant possession to the landlord by 1:00 pm March 15, 2019.

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 28, 2019

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Residential Tenancy Branch