



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNR

### Introduction

This hearing convened as a Tenant's Application for Dispute Resolution, filed on January 15, 2019, in which the Tenant requested to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities.

The hearing was conducted by teleconference at 9:30 a.m. on February 26, 2019. Both parties called into the hearing and were provided the opportunity to present their evidence orally and in written and documentary form and to make submissions to me.

### Settlement and Conclusion

During the hearing the parties resolved matters by mutual agreement. The parties confirmed that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter. As the parties resolved matters by agreement I make no findings of fact or law with respect to their relative claims.

The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure* as follows:

1. By no later than March 1, 2019, the Tenant shall pay to the Landlord the outstanding rent of \$3,400.00: such payment to be made by electronic transfer.
2. Should the Tenant pay the \$3,400.00 as required above, the tenancy shall continue until ended in accordance with the *Residential Tenancy Act*.

3. The Tenant shall pay his monthly rent of \$850.00 by no later than the 1<sup>st</sup> of each and every month, such payment to be made by electronic transfer; additionally, the parties acknowledge:
  - a. the \$850.00 is less than the \$875.00 provided for in the written tenancy agreement, and further acknowledge this reduction was agreed to shortly after the tenancy began in 2014; and,
  - b. the \$850.00 payment for March 1, 2019 *is in addition to* the \$3,400.00 rental arrears payment which must be made by the Tenant as provided for in paragraph 1 above.
4. Should the Tenant not pay the \$3,400.00 outstanding rent as required:
  - a. the tenancy shall end in accordance with the Notice. In furtherance of this, the Landlord is granted an Order of Possession effective two days after service on the Tenant. The Order must be served on the Tenant and may be filed and enforced in the B.C. Supreme Court;
  - b. the Landlord is granted a Monetary Order in the amount of **\$3,400.00**. The Monetary Order must be served on the Tenant and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court; and,
  - c. the Order of Possession and Monetary Order must be read in conjunction with this Decision.

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 27, 2019

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Residential Tenancy Branch