



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding SALUS ENTERPRISES LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPR MNR FF

Introduction

This hearing dealt with the Landlord's Application by Direct Request Proceeding, made on February 28, 2019, which was adjourned to a participatory hearing to address outstanding issues (the "Application"). The Landlord seeks the following relief, pursuant to the *Residential Tenancy Act* (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 Landlord was represented at the hearing by B.B. an agent. The Tenant attended the hearing on his own behalf. Both B.B. and the Tenant provided affirmed testimony.

Settlement

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.

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

1. The parties agreed that rent in the amount of \$936.00 per month is currently due on the first day of each month.
2. The Tenant agrees to pay outstanding rent for March and April 2019, in the amount of \$1,872.00, to the Landlord no later than April 29, 2019 (the "April Payment").

3. The Tenant agrees to pay rent due on May 1, 2019, in the amount of \$936.00, to the Landlord no later than May 15, 2019 (the "May Payment").
4. The Tenant agrees that if the April Payment is not made to the Landlord as agreed, the Landlord will be entitled to enforce an order of possession, which will be effective two (2) days after service on the Tenant.
5. The Tenant agrees that if the April Payment and the May Payment are not made as agreed, the Landlord will be entitled to enforce a monetary order in the amount of \$2,808.00.
6. The Landlord agrees to withdraw the Application in full as part of this settlement.

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

Conclusion

I order the parties to comply with the terms of the settlement agreement described above.

In support of the settlement, and with the agreement of the parties, I grant the Landlord a conditional order of possession, which will be effective if the Tenant does not make the April Payment as agreed. The order of possession will be effective two (2) days after it is served on the Tenant. If necessary, the order may be filed in and enforced as an order of the Supreme Court of British Columbia.

In support of the settlement, and with the agreement of the parties, I grant the Landlord a conditional monetary order in the amount of \$2,808.00, which will be effective only if the April Payment and the May Payment are not 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: April 25, 2019

Residential Tenancy Branch