



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNRL-S FFL

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

- a monetary order for unpaid rent in the amount of \$12,100.00 pursuant to section 67; and
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

All parties attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

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 landlord may retain the security deposit of \$1,500.00.
2. The tenant agrees to pay the landlord \$12,000.00 (the "**Arrears**") in installments (the "**Installments**") as follows
 - a. \$1,000.00 on or before July 1, 2019.
 - b. \$1,000.00 on or before August 1, 2019.
 - c. \$1,000.00 on or before September 1, 2019.
 - d. \$1,000.00 on or before October 1, 2019.
 - e. \$1,000.00 on or before November 1, 2019.
 - f. \$1,000.00 on or before December 1, 2019.
 - g. \$1,000.00 on or before January 1, 2020.

- h. \$1,000.00 on or before February 1, 2020.
 - i. \$1,000.00 on or before March 1, 2020.
 - j. \$1,000.00 on or before April 1, 2020.
 - k. \$1,000.00 on or before May 1, 2020.
 - l. \$1,000.00 on or before June 1, 2020.
- 3. The Installments will be made by wire transfer.
 - 4. The landlord will provide the tenant with the account information necessary to make a wire transfer in advance of the first Installment becoming due.
 - 5. The tenant must post payment of each Installment on or before the first day of the month in which it is due.
 - 6. The tenant will email the landlords a screenshot of the posting of each Installment by the first day of the month in which it is due.
 - 7. If the tenant fails to pay any of the Installments, the balance of the Arrears becomes due immediately.

To give effect to the settlement reached between the tenant and the landlords and as discussed with them during the hearing, I issue the attached monetary order ordering the tenant to pay the landlords \$12,000.00. Should the tenant fail to pay any of the Installments, this order may be filed and enforced as an order of the Small Claims Division of the Provincial Court of British Columbia. The landlords are only entitled to the balance of the Arrears pursuant to this order, and not the full amount.

These particulars comprise the full and final settlement of all aspects of this dispute for the 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.

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

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: May 10, 2019

Residential Tenancy Branch