



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR MNSD FF

Introduction

This hearing was convened as a result of the Landlord's Application for Dispute Resolution. A participatory hearing was held on June 29, 2020. The Landlord applied for multiple remedies, pursuant to the *Residential Tenancy Act* (the "Act").

The Landlord and the Tenant both attended the hearing and provided testimony.

Settlement Agreement

During the hearing, the Landlord agreed to withdraw his application in pursuit of the following settlement agreement. The Tenant consented to this as well.

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.

Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a decision:

- The Tenant will pay the Landlord \$10,300.00 by July 15, 2020.
- This amount includes all rent outstanding up until the end of July 2020.
- If the Tenant fails to honour the above payment arrangement, then the Landlord is entitled to an order of possession, effective July 30, 2020.
- Also, if the Tenant fails to make the above payment, by July 15, 2020, the Landlord may serve and enforce the attached monetary order for that amount.

- The Landlord withdraws the Notices issued, and was willing to continue the tenancy as long as the above payment is made by the date promised.

The parties confirmed at the end of the hearing 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. Parties are encouraged to try to work together on any remaining issues.

In support of the above agreement, I will issue a conditional order of possession for July 30, 2020, should the Tenant fail to make the payment as promised.

I will also issue a conditional monetary order, whereby the Landlord can serve and enforce the order if the Tenant fails to pay the above amount by July 15, 2020.

Conclusion

The Landlord is granted an order of possession effective **July 30, 2020**, at 1:00 p.m. This order must be served on the Tenants. If the Tenants fail to comply with this order the Landlord may file the order with the Supreme Court of British Columbia and be enforced as an order of that Court.

The Landlord is granted a monetary order pursuant to Section 67 in the amount of **\$10,300.00** comprised of rent owed. This order must be served on the Tenants. If the Tenants fail to comply with this order the Landlord may file the order in the Provincial Court (Small Claims) and be enforced as an order of that Court.

These Orders **must** be read in conjunction with the above mutual settlement agreement and the Landlord **must not** seek to enforce the Orders on the Tenants, unless the Tenants fail to meet the conditions of the payment plan.

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: June 29, 2020

Residential Tenancy Branch