



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPRM-DR, OPR-DR, FFL

Introduction

This hearing convened as a result of a Landlord's Application for Dispute Resolution, filed on March 14, 2021, wherein the Landlord sought an Order of Possession and monetary compensation from the Tenant pursuant to a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities issued on March 6, 2021 (the "Notice").

The Landlord originally applied by way of Direct Request proceeding. The Adjudicator considering that request adjourned the matter to a participatory hearing for the reasons set forth in her Interim Decision dated April 7, 2021. The participatory hearing was scheduled for teleconference before me at 9:30 a.m. on May 3, 2021. Both parties appeared at the hearing. The hearing process was explained, and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form and make submissions to me.

Settlement and Conclusion

During the hearing the parties reached a comprehensive settlement. Pursuant to section 63 of the *Residential Tenancy Act* (the "Act"), I record their agreement in this my Decision and resulting Orders. As the parties resolved matters by agreement, I make no findings of fact or law with respect to their relative claims.

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. The terms of the settlement are as follows.

1. The Tenant will vacate the rental unit by no later than **1:00 p.m. on May 4, 2021.**

2. The Landlord is entitled to an Order of Possession effective **1:00 p.m. on May 4, 2021**. This Order may be filed in the Supreme Court and enforced as an order of that Court.
3. The parties agree the Tenant is responsible for paying rent for March and April 2021 in the amount of \$1,300.00 per month or \$2,600.00 total.
4. The Landlord is entitled to recover the \$100.00 filing fee and is therefore entitled to recovery of the total sum of \$2,700.00 from the Tenant.
5. The Landlord is granted an Order under section 67 of the *Residential Tenancy Act* for the balance due in the amount of **\$2,700.00**. This Order may be filed in the Provincial Court (Small Claims) and enforced as an Order of that Court.
6. Should the Tenants not vacate the rental unit by **1:00 p.m. on May 4, 2021**., I grant the Landlord liberty to apply for a further Monetary Order, including but not limited to rent for May 2021 as well as any costs to enforce the Order of Possession.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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 03, 2021

Residential Tenancy Branch