



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF

Introduction

On February 23, 2021, the Landlord submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (“the Act”) for an order of possession for the rental unit; for a monetary order for unpaid rent or utilities; and to recover the cost of the filing fee.

The matter was set for a conference call hearing at 9:30 am on this date. The Landlord’s agent (“the Landlord”) and the Tenant, Ms. B.O. attended the teleconference hearing.

The hearing proceeded and the parties were provided the opportunity to present their evidence orally and in written and documentary form, and to make submissions at the hearing.

Preliminary and Procedural Matters

During the hearing the Tenant clarified the spelling of her full legal name. The Landlord’s application has been amended accordingly.

Issues to be Decided

- Is the Landlord entitled to an order of possession due to unpaid rent?
- Is the Landlord entitled to a monetary order to recover unpaid rent?
- Is the Landlord entitled to recover the cost of the filing fee?

Background and Evidence

The Tenant testified that the tenancy began on June 28, 2015 and is on a month to month basis. The Landlord and Tenant testified that rent in the amount of \$2,400.00 was to be paid to the Landlord by the first day of each month.

The Landlord testified that the owner purchased the rental unit approximately one year ago and inherited the tenancy.

Settlement Agreement

During the hearing, the parties agreed to settle this dispute, on the following conditions:

1. The parties agreed that the tenancy will end on **July 15, 2021**.
2. The parties agreed that the Landlord is granted an order of possession effective **July 15, 2021, at 1:00 p.m.** For enforcement, the Landlord must serve the Tenant with the order of possession.
3. The parties agreed that the Tenant owes the Landlord \$18,000.00 in unpaid rent from November 2020 to June 2021 and that the Landlord is granted a monetary order for unpaid rent.
4. The parties agreed that rent due under the tenancy agreement for July 2021 is waived.

The Landlord's application is dismissed in satisfaction of this settlement agreement. This settlement agreement was reached in accordance with section 63 of the *Act*. 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. I indicated that if either party did not wish to resolve this matter through a mutually agreed settlement, I was prepared to hear their evidence and make a decision.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

The Landlord has been granted an order of possession effective July 15, 2021, at 1:00 p.m. For enforcement, this order must be served on the Tenant and may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

The Landlord has been granted a monetary order for unpaid rent in the amount of \$18,000.00.

This decision is final and binding on the parties, unless 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: June 01, 2021

Residential Tenancy Branch