



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNRL

Introduction

This hearing convened as a result of a Landlord's Application for Dispute Resolution, filed on August 26, 2022, wherein the Landlord sought an Order of Possession and monetary compensation based on a 10 Day Notice to End Tenancy for Unpaid Rent and Utilities issued on August 10, 22 (the "Notice").

The hearing of the Landlord's Application was scheduled for 9:30 a.m. on January 16, 2023. Both parties called into 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 resolved matters by mutual agreement. The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. 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 their settlement follow.

1. The tenancy shall end and the Tenant shall vacate the rental unit by no later than **1:00 p.m. on January 31, 2023.**
2. The Landlord is granted an Order of Possession effective **1:00 p.m. on January 31, 2023.** The Landlord must serve the Order on the Tenants as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court.
3. The Landlord is entitled to the sum of \$19,200.00 representing six months of unpaid rent in the amount of \$3,200.00 for the months August, September, October, November and December 2022 and January 2023. The Landlord may retain the Tenant's \$150.00 security deposit towards this amount and is entitled to the balance due in the amount of **\$19,050.00.**
4. In furtherance of the above, I grant the Landlord a Monetary Order in the amount of **\$19,050.00.** The Monetary Order must be served on the Tenant and may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

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: January 16, 2023

Residential Tenancy Branch