

Decision

Dispute Codes:

OPR OPB MNR MNDC FF ET

Introduction

I have been delegated the authority under Section 9.1 of the *Residential Tenancy Act* (the “Act”) to hear this matter and decide the issues.

Issue(s) to be Decided

This Dispute Resolution Hearing was convened to deal with an Application by the Landlord for:

- an Order of Possession for unpaid rent or utilities and for breach of the Tenancy Agreement;
- a monetary order for unpaid rent or utilities and for compensation for damage or loss;
- to recover the filing fee from the Tenant for this application; and
- to end the tenancy early and obtain an Order of Possession.

Preliminary Matters

Both of the parties attended the Hearing and reached an agreement with respect to terms of settlement of this matter.

The terms that were agreed upon at the hearing are as follows:

- The Tenant will pay to the Landlord the sum of \$2,700.00, in full and final payment of rent for the months of January and February, 2009, late fees and the filing fee for this application;
- The Tenant will provide the Landlord with this payment no later than February 9, 2009;
- If the Tenant fails to make the above payment to the Landlord by February 9, 2009, the Landlord may serve the Tenant with an immediate Order of Possession.

Conclusion

I grant the Landlord a monetary order under section 67 of the *Act* for \$2,700.00. The Landlord has agreed not to enforce the Order if the Tenant complies with the terms of their agreement as set out above. In the event that the Tenant does not comply with the terms of the agreement as set out above, this order may be served on the Tenant and may be filed in the Provincial Court of British Columbia (Small Claims) and enforced as an order of that Court.

I grant the Landlord an immediate Order of Possession. The Landlord has agreed not to enforce the Order if the Tenant complies with the terms of their agreement as set out above. In the event that the Tenant does not comply with the terms of the agreement as set out above, this Order may be served on the Tenant and may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

January 22, 2009
