

## DECISION

Dispute Codes      MT, CNR, OPR, MNDC, MNR, RP, OPT, AAT

### Introduction

This hearing dealt with cross Applications for Dispute Resolution. The landlord sought an order of possession and a monetary order. The tenant sought more time to cancel a notice to end tenancy; to cancel a notice to end tenancy; an order of possession; an order to allow access and to have the landlord make repairs.

The hearing was attended by the landlord and the male tenant.

The tenant confirmed at the outset of the hearing that he did not need an order of possession or an order to have the landlord allow access to the unit. I amend the tenant's Application to exclude these matters.

### Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to an order of possession for unpaid rent; to a monetary order for unpaid rent; and to recover the filing fee from the tenants for the cost of the Application for Dispute Resolution, pursuant to Sections 46, 55, 67, and 72 of the *Residential Tenancy Act (Act)*.

It must also be decided if the tenants are entitled to more time to file an Application to cancel a notice to end tenancy; to cancel a 10 Day Notice to End Tenancy for Unpaid Rent; to an order for the landlord to make repairs and to a monetary order for additional utility costs, pursuant to Sections 32, 46, 67, and 72 of the *Act*.

### Background and Evidence

During the hearing the parties came to the following settlement agreement:

1. The landlord withdraws his Application for Dispute Resolution;
2. The tenant withdraws his Application for Dispute Resolution;
3. The tenant agrees to contact BC Hydro to obtain a weather stripping kit for exterior doors;
4. The landlord agrees to install the weather stripping kits when received;
5. The tenant agrees to pay the landlord according to the following rent and arrears payment schedule. This schedule includes consideration for additional rent for the month of April, 2011 that will be due on April 1, 2011:
  - a. March 18, 2011 - \$1,250.00;
  - b. March 31, 2011 - \$1,800.00;
  - c. April 5, 2011 - \$2,500.00;
  - d. April 22, 2011 - \$1,950.00.

Conclusion

In support of the above settlement agreement, I grant the landlord an order of possession and a monetary order for rental arrears totalling \$5,000.00 to be enforced only should the tenant fail to follow the above payment schedule.

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: March 14, 2011.

---

Residential Tenancy Branch