Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   OPR MNR FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord to obtain an Order of Possession for unpaid rent and a Monetary Order for unpaid rent or utilities, and to recover the cost of the filing fee from the Tenant for this application.

The parties appeared at the teleconference hearing and gave affirmed testimony.

Issue(s) to be Decided

1. Has the Tenant breached the *Residential Tenancy Act*, regulation or tenancy agreement?
2. If so, has the Landlord met the burden of proof to obtain an Order of Possession and a Monetary Order as a result of that breach, pursuant to sections 55 and 67 of the *Residential Tenancy Act*?

Background and Evidence

The parties agreed they entered into a verbal month to month tenancy agreement that began on or about March 1, 2007. Rent is payable on the sixteenth (16th) of each month in the amount of $780.00 and in March 2007 the Tenant had paid $375.00 as the security deposit.

During the course of the hearing the parties agreed to settle this matter.

Analysis

The parties agreed to settle this matter on the following terms:

1) The parties mutually agree to end this tenancy effective May 31, 2012 at 1:00 p.m.; and

2) The Tenant agrees to pay the Landlord $390.00 for rent from May 17, 2012 to May 31, 2012.

In support of this settlement agreement the Landlord will be provided an Order of Possession effective May 31, 2012.

As this matter was settled I decline to award recovery of the filing fee.

Conclusion

I HEREBY FIND the Landlord is entitled to an Order of Possession effective **May 31, 2012 at 1:00 p.m.** This Order is legally binding and must be served upon the Tenant.

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: May 04, 2012.

Residential Tenancy Branch