



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *OPC, MNR, FF*

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act*, for an order of possession. The landlord also applied for a monetary order for unpaid rent and the filing fee.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to an order of possession? Does the tenant owe the landlord rent?

Background and Evidence

The tenancy started on October 31, 2010. There is no tenancy agreement. The landlord stated that four tenants rented the unit for a total of \$1,350.00. Two of the four tenants paid rent directly to the landlord. The respondent stated that her share of rent was \$1,000.00 and a portion of it would come directly from the Ministry of Social Services.

The rental arrangements were discussed at length. During the hearing, both parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the dispute resolution officer may assist the parties settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

During this hearing, the parties reached an agreement to settle their dispute. Specifically, both parties agreed to the following:

- The tenant agreed to move out on or before **1:00 p.m. on July 15, 2012**. An order of possession will be issued to the landlord effective this date.
- The tenant agreed that she owed the landlord **\$673.65** in unpaid rent. A monetary order will be issued to the landlord for this amount.
- The tenant agreed to pay \$500.00 to the landlord on July 01, 2012.
- The landlord agreed to allow the tenancy to continue until July 15, 2012.
- The landlord agreed to accept \$673.65 in full settlement of his claim against the tenant.
- Both parties stated that they understood and agreed that these particulars comprise the full and final settlement of all aspects of this dispute for both parties.

Pursuant to the above agreement and section 55(2) of the *Residential Tenancy Act*, I am issuing a formal order of possession effective July 15, 2012. The Order may be filed in the Supreme Court for enforcement.

As this dispute was resolved by mutual agreement and not based on the merits of the case, I decline the landlord's request to recover the filing fee paid for this application. Pursuant to the above agreement, I grant the landlord a monetary order under section 67 of the *Residential Tenancy Act* for the amount of **\$673.65**. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord an order of possession effective on or before **1:00 p.m. on July 15, 2012** and a monetary order in the amount of **\$673.65**.

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: June 26, 2012.

Residential Tenancy Branch