



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Greater Victoria Housing Society
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC; MNDC; FF

Introduction

This is the Landlord's Application for Dispute Resolution seeking an Order of Possession; a monetary award; and to recover the cost of the filing fee from the Tenant.

Both parties attended the Hearing. At the outset of the Hearing, the parties advised that they wished to enter into a settlement agreement with respect to the Landlord's Application and that they wished to have the terms of the agreement recorded.

Pursuant to Section 63 of the Act, the Arbitrator may assist the parties to 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 the Hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of this dispute:

1. The Landlord withdraws its Application for Dispute Resolution.
2. The Tenant will provide the Landlord with pre-authorization to automatically withdraw the monthly rent from the Tenant's bank account on the first day of each month, starting with the rent payment which is due on April 1, 2018.
3. The Landlord will return the Tenant's post-dated cheques for the months of April, May and June, 2018, to the Tenant.
4. The Tenant will pay the Landlord the sum of \$140.00 by the end of the business day, March 16, 2018, by providing the payment to the Landlord's caretaker, or by dropping it off at the Landlord's place of business.

Conclusion

To give effect to the settlement reached between the parties and as advised to both parties during the hearing, I issue the attached Order of Possession and Monetary Order.

The attached Order of Possession is enforceable **only if the Tenant does not comply with the settlement agreement as provided above**. If the Tenant does not comply with the terms of the settlement agreement, the Landlord will be at liberty to enforce the Order of Possession through the Supreme Court of British Columbia.

The attached Monetary Order is enforceable **only if the Tenant fails to provide the Landlord with the sum of \$140.00 before the end of the business day on March 16, 2018**. If the Tenant does not make such payment by said date, the Landlord will be at liberty to enforce the Monetary Order in Provincial Court (Small Claims).

The Landlord's 1 Month Notice to End Tenancy for Cause issued November 3, 2017, is cancelled.

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 11, 2018

Residential Tenancy Branch