



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, FFT

Introduction

This hearing was scheduled to hear the tenant's application to dispute a 10 Day Notice to End Tenancy for Unpaid Rent. Both parties appeared or were represented at the hearing and had the opportunity to be make relevant submissions and to respond to the submissions of the other party pursuant to the Rules of Procedure.

During the hearing, the parties reached an agreement in resolution of this dispute. I have recorded their agreement by way of this decision and the Order that accompanies it.

Issue(s) to be Decided

What are the terms of agreement?

Background and Evidence

The parties were in agreement that the tenants are required to pay rent of \$3,000.00 on the first day of every month and that the tenants currently owe \$9,500.00 in rental arrears. The parties agreed upon the following terms in resolution of this dispute:

1. The tenants shall deliver to the landlord \$9,500.00 by way of a bank draft no later than 4:00 p.m. on February 22, 2019.
2. If the tenants fail to meet term no. 1 above, the landlord may serve the tenants with the Order of Possession that I provide to the landlords with this decision.
3. If the tenants fulfill term no. 1, the Order of Possession provided with this decision shall become null and void and the tenancy shall continue.

4. If the tenancy continues, the tenants shall ensure the full monthly rent is paid on the first day of every month starting March 1, 2019 and every month thereafter until the tenancy ends.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record the agreement in the form of a decision or order.

I have accepted and recorded the mutual agreement reached by the parties during this hearing and I make the term(s) an Order of mine to be binding upon both parties.

In recognition of the mutual agreement, I provide the landlord with a conditional Order of Possession. The Order of Possession shall be effective two (2) days after it is served upon the tenants; however, the landlord may only serve the Order of Possession if the tenants fail to meet term no. 1 of the agreement that is recorded in this decision.

Conclusion

The parties reached a mutual agreement in resolution of this dispute. I have recorded the terms of the agreement in this decision and I have made the terms an order of mine to be binding upon both parties. The landlord is provided a conditional Order of Possession that may be served and enforced upon the tenants in the event the tenants fail to meet term no. 1 of their mutual agreement.

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: February 08, 2019

Residential Tenancy Branch