

**DECISION**

Dispute Codes      MNDC OLC RP PSF FF

This hearing dealt with an application by the Tenant to obtain a Monetary Order for money owed or compensation for damage or loss under the Act, Orders to have the Landlord comply with the Act, make repairs to the unit, provide services required by law, and to recover the cost of the filing fee from the Landlord for this application.

During the course of the hearing, the parties reached an agreement to settle this matter, on the following conditions:

1. the Tenant withdraws his application in full; and
2. the Landlord will pay the Tenant \$875;
3. the Landlord will return the Tenant's December 1, 2009 post dated rent cheque of \$750.00, no rent will be charged to the Tenant for December 2009, and a company cheque in the amount of \$125.00 will be sent under separate cover, as full satisfaction of this settlement agreement.

I grant the Tenant an order under section 67 for the amount of \$875.00. In the event the Landlord fails to settle this account as noted in #3 above, the Tenant must serve this order on the Landlord. This order may be filed in the Small Claims Court and enforced as an order of that Court.

If the Landlord complies with payment as listed in #3 above, then the enclosed Monetary Order is cancelled and of no force or effect.

As this matter was settled, I decline to award the Tenant recovery of the filing fee for the cost of the application.

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: November 25, 2009.

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Dispute Resolution Officer