



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes:

MNDC, MNSD, MND, MNR, FF

Introduction

This was a cross-application hearing.

The tenant attended the hearing at the scheduled time of 1:00 p.m.; the landlord entered the conference call hearing at 1:07 p.m.

At the start of the hearing I determined that neither party could prove service to the other.

The parties were given the opportunity to settle the matter. The landlord was claiming compensation in the sum of \$3,008.20 and the tenants were claiming return of double the deposit in the sum of \$1,300.00. Each party claimed filing fee costs.

During the hearing the tenants agreed to accept payment from the landlord in the sum of \$300.00. The landlord and tenant each agreed to withdraw the balance of their claims against the other. The parties each agreed that they will not make any further application or claim against the other for any matter related to this tenancy.

The landlord stated that he would mail the tenant a cheque and he was provided with the tenant's current mailing address.

The parties understood that a monetary order will be issued to the tenant in the sum of \$300.00.

Conclusion

The parties agreed to settle their claim against each other. The landlord will mail the tenant a cheque in the sum of \$300.00.

Based on these determinations I grant the tenants a monetary Order in the sum of \$300.00. In the event that the landlord does not immediately mail the tenants a cheque,

this Order may be served on the landlord, filed with the Province of British Columbia Small Claims Court and enforced as an Order of that Court.

The balance of the claims made by each party is dismissed without leave to reapply.

The parties have agreed that no further claims related to this tenancy will be made against the other.

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: January 21, 2010.

Dispute Resolution Officer