



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MNR MND FF
 MNDC FF

Introduction

This hearing dealt with Applications filed by both the Landlords and the Tenants

The Landlords filed for Dispute Resolution to obtain a Monetary Order for damage to the unit, for unpaid rent, and to recover the cost of the filing fee from the Tenants for this application.

The Tenants filed for Dispute Resolution to obtain a Monetary Order money owed or compensation for damage of loss under the Act, and to recover the cost of the filing fee from the Landlord for this application.

Service of the hearing documents, by the Landlords to the Tenants, was done in accordance with section 89 of the *Act*, sent via registered mail. The Tenants confirmed receipt of the Landlord's hearing documents.

Service of the hearing documents, by the Tenants to the Landlords, served personally to the Landlords. The Landlords confirmed receipt of the Tenant's application and the amended application.

Issues(s) to be Decided

1. Have the Tenants breached the *Residential Tenancy Act*, regulation, or tenancy agreement?
2. If so, have the Landlords met the burden of proof to establish a monetary claim as a result of that breach?
3. Have the Landlords breached the *Residential Tenancy Act*, regulation, or tenancy agreement?
4. If so, have the Tenants met the burden of proof to establish a monetary claim as a result of that breach?

Background and Evidence

The verbal month to month tenancy was effective December 1, 2009 and ended on October 1, 2010, with rent payable on the first of each month in the amount of \$600.00. The Tenants paid a security deposit of \$300.00 on in mid November 2009.

Each party acknowledged receipt of evidence submitted by the other, gave affirmed testimony, were provided the opportunity to present their evidence orally, in writing, and in documentary form.

A mediated discussion ensued and the parties reached an agreement to settle these matter.

Analysis

The parties agreed to settle these matters on the following conditions:

1. the Tenants withdraws their application; and
2. the Landlords withdraws their application; and
3. the Landlords will pay the Tenants \$300.00 on or before February 28, 2011; and
4. in consideration for this mutual settlement the parties agree that no further claims will be made by either party whatsoever arising from this tenancy.
5. In support of this mutual a monetary order will be issued in favour of the Tenants for \$300.00.

As this matter was settled, I decline to award either the Landlords or the Tenants recovery of the filing fee for the cost of their applications.

Conclusion

A copy of the Tenant's decision will be accompanied by a Monetary Order for **\$300.00**. The order must be served on the Landlords and is enforceable through the Provincial Court as an order of that Court.

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 10, 2011.

Residential Tenancy Branch