



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MND, MNDC

Introduction

This conference call hearing was convened in response to the landlord's application for a monetary order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement; for unpaid rent; and for damage to the rental unit.

Both parties attended the hearing and provided affirmed testimony. They were given a full opportunity to be heard, to present evidence and to make submissions.

Issue(s) to be Decided

Is the landlord entitled to a Monetary Order, and if so for what amount?

Background and Evidence

The rental unit consists of a furnished apartment which included the landlord's two cats. The tenancy consisted of a two month sublet for April and May 2010 for \$1300.00 per month while the landlord was away travelling. The tenant paid a security deposit of \$500.00. After the tenancy, the landlord was ordered to return double the amount of that deposit, following a Residential Tenancy Branch decision and order dated November 22nd, 2011. There was no written tenancy agreement, and condition inspection reports were not completed at the start or the end of the tenancy.

The parties gave testimony concerning this dispute and presented evidence regarding the details of the landlord's monetary claim. Once matters were discussed, the tenant stated that she pursued the landlord to Small Claims Court over the previous decision and order for which the landlord faces a garnishee order. The tenant motioned that upon reflection, she agrees to cancel that order on the condition that the landlord withdraws this application for dispute resolution, resulting in neither party owing any monies against the other. The landlord agreed with the tenant's proposed settlement.

Analysis

Section 63 of the *Residential Tenancy Act* provides for the parties to resolve their dispute during the dispute resolution proceedings. Accordingly, the parties have agreed to the following:

- The landlord's agrees to withdraw her application for dispute resolution.
- The tenant will cancel the garnishee order against the landlord forthwith.
- These terms comprise a full and final settlement of all aspects of this dispute currently before me and related to this tenancy for both parties.

Conclusion

The tenant's application is hereby withdrawn.

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: July 13, 2011.

Residential Tenancy Branch