



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, FF

Introduction

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. A Monetary Order for unpaid rent - Section 67; and
2. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing. At the outset, both Parties indicated their desire to resolve the dispute without a determination of the dispute being made by the Dispute Resolution Officer.

Issue(s) to be Decided

Is the Landlord entitled to a monetary amount?

Background and Evidence

The following are facts agreed to by the Parties at the hearing:

- The tenancy began on March 1, 2011 and ended on April 15, 2011.
- Rent in the amount of \$800.00 was payable in advance on the first day of each month;
- At the outset of the tenancy, the Landlord collected a security deposit from the Tenant in the amount of \$200.00 with \$200.00 remaining owing to the Landlord;
- The Tenant ended the tenancy without a month’s notice to the Landlord and owes the Landlord one month’s rent;
- The Tenant ended the tenancy due to the lack of hot water and wants to be compensated for this loss.

During the hearing, the Parties reached an agreement to settle the dispute. In consideration for accepting the Tenant's offer and reaching an agreement, the Landlord will not pursue the claim.

Analysis

Section 63 of the Act is set out as follows:

- (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order.

Given the authority under the Act, the Parties desire to settle their dispute during the proceedings, and agreement reached between the Parties during the proceedings, I find that the Parties have settled their dispute over the monetary amount owing and the following records this settlement as a decision:

The Parties mutually agree as follows:

- 1. The Tenant will pay to the Landlord the amount of \$664.00 in the form of a money order;**
- 2. The Tenant will mail the money order to the Landlord on September 16, 2011;**
- 3. The Landlord will obtain an monetary award in the amount of \$664.00 but will not enforce the award until after September 16, 2011 and only if the Tenant fails to pay this amount by September 16, 2011;**
- 4. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Conclusion

The Parties have resolved the dispute as set out on the mutually agreed upon terms and the application for dispute resolution is therefore dismissed.

I grant the Landlord a monetary order under Section 67 of the Act for the amount of **\$664.00**. If necessary, this order may be filed in the Small Claims Court and enforced 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: August 11, 2011.

Residential Tenancy Branch