

Decision

Dispute Codes: MNR, MNDC, MNSD, FF

Introduction

This hearing was convened in response to 2 applications: i) by the landlord for a monetary order as compensation for unpaid rent or utilities / compensation for damage or loss under the Act, regulation or tenancy agreement / retention of the security deposit / and recovery of the filing fee.; ii) by the tenants for a monetary order as compensation for damage or loss under the Act, Regulation or tenancy agreement / return of the security deposit / and recovery of the filing fee. Both parties participated in the hearing and gave affirmed testimony.

Issues to be decided

- Whether either party is entitled to any of the above under the Act, Regulation or tenancy agreement

Background and Evidence

Over a period of time beginning on or about March 1, 2005 and ending on or about July 31, 2010, the parties entered into 2 separate tenancy agreements in relation to 2 separate units located within 1 building. Matters in dispute arise principally out of tenancy in the second unit.

During the hearing the parties exchanged views on a range of miscellaneous aspects of the dispute, and undertook to achieve a resolution.

Analysis

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: www.rto.gov.bc.ca

Section 63 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution. Specifically, it was agreed as follows:

- that the tenants will pay the landlord \$500.00, and that a monetary order will be issued in favour of the landlord to that effect;
- that the above payment will be made by way of a lawyer's trust cheque;

- that the landlord will pick up the lawyer's trust cheque from the office of legal counsel representing the tenants;
- that the lawyer's trust cheque will be available for pick up, as above, anytime after Noon on Thursday, September 1, 2011;
- that the above particulars comprise full and final settlement of all aspects of the dispute arising from this tenancy for both parties.

Conclusion

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the landlord in the amount of **\$500.00**. Should it be necessary, this order may be served on the tenants, 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*.

DATE: August 26, 2011

Residential Tenancy Branch