

Decision

Dispute Codes: RPP

Introduction

This hearing was convened in response to the tenant's application for an order instructing the landlord to return her personal property. Both parties participated in the hearing and gave affirmed testimony.

Issues to be decided

- Whether the tenant is entitled to the above under the Act, Regulation or tenancy agreement

Background and Evidence

Details related to this tenancy which arose from an employment relationship between the parties, are set out in a decision dated July 6, 2011 (file # 775613). In summary, while the tenancy and the employment relationship no longer exist, the landlord continues to store certain of the tenant's personal possessions. The tenant wishes to recover her possessions and the landlord wishes to recover costs associated with moving them from the former residence and storing them in a Quonset hut.

During the hearing the parties exchanged views on some of the circumstances surrounding the dispute and undertook to achieve a resolution.

Analysis

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 tenant will pay the landlord \$300.00;
- that the tenant will make the above payment by way of money order;
- that the money order will be put into the mail by not later than midnight, Friday, November 18, 2011;
- that in association with the above payment, the Director will issue a monetary order in favour of the landlord in the amount of \$300.00;

- that the tenant will remove all possessions held in storage by the landlord by not later than midnight, Saturday, December 31, 2011;
- that the tenant consents to the landlord's discretionary disposal of any and all possessions presently held in storage, which the tenant does not remove by the deadline agreed to, as above;
- that the tenant will liaise with the landlord's agent (Mr. O.) by e-mail with regard to the date and time of her removal of the possessions from storage;
- that the above particulars comprise full and final settlement of the entire dispute between the parties related to the storage and removal of the tenant's possessions.

Conclusion

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the landlord in the amount of **\$300.00**. Should it be necessary, this order may be served on the tenant, 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: November 10, 2011

Residential Tenancy Branch