

## **Decision**

**Dispute Codes:** MNDC

### **Introduction**

This hearing was convened in response to the tenant's application for a monetary order as compensation damage or loss under the Act, Regulation or tenancy agreement. Both parties participated and/or were represented and gave affirmed testimony.

### **Issue to be decided**

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

### **Background and Evidence**

There is no written tenancy agreement for the sublet of 1 bedroom in a 2 bedroom unit which began September 1, 2011. Monthly rent of \$600.00 was payable in advance on the first day of each month, and a security deposit of \$250.00 was collected.

On or about September 11, 2011, the owner changed the locks on the unit and the tenant was effectively evicted. In his application the tenant seeks reimbursement of the full month's rent paid for September.

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 landlord will pay the tenant \$550.00, and that a monetary order will be issued in favour of the tenant to this effect;
- that the above payment will be made by way of cash;
- that the tenant will pick up the above cash payment from the landlord on Tuesday, November 29, 2011 at 1:00 p.m., at her place of work;

- 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 tenant in the amount of **\$550.00**. Should it be necessary, this order may be served on the landlord, 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 28, 2011

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Residential Tenancy Branch