



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC OLC ERP RP LRE RR

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant to obtain Orders for: monetary compensation for damage or loss under the Act, regulation or tenancy agreement, to have the Landlord comply with the Act, regulation or tenancy agreement, to have the Landlord make emergency repairs for health or safety reasons and repairs to the unit, site or property, to suspend or set conditions on the Landlord's right to enter the rental unit, and to allow the Tenant reduced rent for repairs, services, or facilities agreed upon but not provided.

The parties appeared at the teleconference hearing. During the hearing each party was given the opportunity to provide their evidence orally.

Issue(s) to be Decided

1. Have the matters been settled between the parties?

Background and Evidence

During the course of the hearing the Tenant affirmed that he was vacating the property as of April 1, 2012. The parties then came to an agreement to settle these matters.

Analysis

Section 63 of the Act provides as follows:

- 63** (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 an order.

During the course of this hearing the parties agreed to settle this matter on the following terms:

- 1) The Tenant withdraws his application for dispute resolution; and
- 2) The Tenant vacates the property by April 1, 2012; and
- 3) The parties agree to meet at the *Residential Tenancy Branch* lobby in Victoria, BC on Monday April 2, 2012 at 10:00 a.m.; and
- 4) During the meeting April 2, 2012 the Landlord will pay the Tenant a total amount of **\$700.00** which is comprised of \$500.00 of 1 Month's Compensation for serving a 2 Month Notice to End Tenancy plus \$200.00 as compensation in favour of this settlement agreement.

In support of the settlement agreement the Tenant will be issued a Monetary Order in the amount of **\$700.00**.

Any deposits currently held in trust by the Landlord are to be administered in accordance with Section 38 of the *Residential Tenancy Act*.

Conclusion

The Tenant's copy of this decision will be accompanied by a Monetary Order in the amount of **\$700.00**. This Order is legally binding and must be served upon the Landlord.

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: March 30, 2012.

Residential Tenancy Branch