



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, OLC, FF

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking a monetary order and an order to have the landlord comply with the *Residential Tenancy Act (Act)*, regulation or tenancy agreement.

The hearing was conducted via teleconference and was attended by the tenant; one of the landlord's and their legal counsel.

At the outset of the hearing the tenant identified that he received the landlord's evidence on Sunday June 24, 2012, which he understood to be late according to the requirements for service. The tenant confirmed that he had served the landlord a couple of weeks ago with his evidence.

I note that the tenant filed his Application for Dispute Resolution on May 8, 2012 and should have provided his evidence at that time according to the Residential Tenancy Branch Rules of Procedure #3.1 that states that the details of any monetary claim being made and any other evidence that is available to be served.

As such, I allowed the landlord's evidence because it was necessitated by the tenant's late service of evidence to the landlord.

Issue(s) to be Decided

The issues to be decided are whether the tenant is to a monetary order for compensation for damage or loss; for an order to have the landlord comply and to recover the filing fee from the landlord for the cost of the Application for Dispute Resolution, pursuant to Sections 27, 32, 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

During the hearing the parties came to the following settlement:

1. The tenant agrees to withdraw his Application for Dispute Resolution, including his claim for recovery of the filing fee;
2. The landlord agrees to provide the tenant with \$500.00 in compensation;

3. The tenants accepts this compensation as a final settlement on the issues named in this Application;
4. The landlord agrees to provide the tenant with a reference when required in the future; and
5. The landlord agrees to allow the tenant to deduct the amount of the compensation from the July 1, 2012 rent payment.

Conclusion

Based on the agreement above, I am satisfied the parties have resolved all matters put forward in the tenant's Application.

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: June 28, 2012.

Residential Tenancy Branch