



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC

Introduction

This hearing dealt with a tenant's application for a Monetary Order for damage or loss under the Act, regulations or tenancy agreement. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

After hearing from both parties the parties reached a settlement agreement. I have recorded the settlement agreement by way of this decision and the Monetary Order that accompanies it.

Issue(s) to be Decided

What are the terms of the settlement agreement?

Background and Evidence

The parties mutually agreed to the following settlement in full and final satisfaction of any and all losses suffered by the tenant as a result of a flood that occurred April 9, 2012.

1. The landlord shall pay the tenant \$368.50 after the tenant serves the landlord with the Monetary Order that accompanies the tenant's copy of this decision.
2. The above compensation is in addition to the \$200.00 the landlord has already compensated to the tenant.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record a settlement agreement in the form of a decision or order.

I have accepted the settlement agreement reached by the parties during this hearing and make the terms an Order to be binding upon both parties. I have recorded the settlement agreement by way of this decision and have provided the tenant with a Monetary Order in the amount of \$368.50 to ensure the agreement is fulfilled.

In the event the landlord does not pay the tenant within a reasonable amount of time after receiving the Monetary Order I authorize the tenant with deduct \$368.50 from rent otherwise payable to the landlord in satisfaction of the Monetary Order.

Conclusion

This dispute was resolved by way of a settlement agreement as recorded in this decision. The tenant has been provided a Monetary Order in the amount of \$368.50 to serve 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: October 18, 2012.

Residential Tenancy Branch