



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNR, MND, MNSD, FF

Introduction

This hearing was convened in response to the Landlord's Application for Dispute Resolution, in which the Landlord applied for a monetary Order for unpaid rent; for a monetary Order for damage; to keep all or part of the security deposit; and to recover the fee for filing this Application for Dispute Resolution.

Both parties were represented at the hearing. The Landlord submitted documents to the Residential Tenancy Branch, copies of which were served to the Tenant. The Tenant acknowledged receipt of the Landlord's evidence and it was accepted as evidence for these proceedings. It is specifically noted that the evidence did not include receipts for repairs done to the rental unit.

Issue(s) to be Decided

Is the Landlord is entitled to compensation for unpaid rent; for compensation for damage to the rental unit; to retain all or part of the security deposit paid by the Tenant; and to recover the filing fee for the cost of this Application for Dispute Resolution.

Background and Evidence

After considerable discussion the parties mutually agreed to settle this dispute under the following terms:

- The Tenant will pay the Landlord \$2,000.00, at a rate of \$200.00 per month
- The first payment will be due on February 01, 2013 and each subsequent will be due on the first day of each subsequent month
- The Landlord will be granted a Monetary Order in the amount of \$2,000.00
- The Landlord may enforce the monetary Order if the Tenant fails to pay the monthly installment when it is due, at which time the Order will be reduced by any amount the Tenant has paid toward this debt.

Analysis

This settlement agreement settles all outstanding issues in relation to this tenancy, including a claim for damages, the return of the security deposit, and the fee paid for filing this Application for Dispute Resolution.

Conclusion

On the basis of the settlement agreement, I grant the Landlord a monetary Order in the amount of \$2,000.00. In the event the Tenant fails to pay \$200.00 towards this debt by February 01, 2013 and a subsequent monthly payment of \$200.00 by the first day of each subsequent month, until such time as the debt is satisfied, the Landlord may serve the Order on the Tenant, file it with the Province of British Columbia Small Claims Court and enforce it 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*.

Dated: January 08, 2013.

