



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR FF

Introduction

This hearing dealt with an Application for Dispute Resolution filed on July 3, 2013, by the Landlords to obtain a Monetary Order for unpaid rent and to recover the cost of the filing fee from the Tenants for this application.

The parties appeared at the teleconference hearing, acknowledged receipt of evidence submitted by the other and gave affirmed testimony. At the outset of the hearing I explained how the hearing would proceed and the expectations for conduct during the hearing, in accordance with the Rules of Procedure. Each party was provided an opportunity to ask questions about the process however, each declined and acknowledged that they understood how the conference would proceed.

During the hearing each party was given the opportunity to provide their evidence orally, respond to each other's testimony, and to provide closing remarks. A summary of the testimony is provided below and includes only that which is relevant to the matters before me.

Issue(s) to be Decided

Are the Landlords entitled to a Monetary Order?

Background and Evidence

The parties entered into a month to month tenancy that began in March 2009 and ended in August 2011. Rent was payable on the first of each month in the amount of \$850.00 and on or before the onset of the tenancy the Tenants paid \$400.00 as the security deposit.

During the course of this proceeding the parties agreed to settle these matters.

Analysis

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

The parties agreed to settle these matters on the following terms:

- 1) The Landlords agree to withdraw their application;
- 2) The Tenants agreed that commencing on October 25, 2013, and continuing on the 25th of each month they will pay the Landlords \$150.00 until such time as they have paid the full amount of **\$2,040.00** (\$1,990.00 unpaid rent + \$50.00 filing fee cost).

The Landlords have been granted a Monetary Order in support of the settlement agreement.

Conclusion

The Landlords have been awarded a Monetary Order in the amount of **\$2,040.00**. This Order is legally binding and must be served upon the Tenants. In the event that the Tenants do not comply with this Order it may be filed with the Province of British Columbia 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*.

Dated: October 04, 2013

Residential Tenancy Branch

