



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNSD, FF

Introduction

This hearing was convened by way of conference call in response to an application made by the Landlords for a Monetary Order relating to: damage to the unit, site or property; to keep all or part of the pet damage or security deposit; and to recover the filing fee from the Tenants for the cost of the application.

The Landlord and the Tenants appeared for the hearing and no issues in relation to the service of the hearing documents under the *Residential Tenancy Act* (the “Act”), were raised by any of the parties.

Both parties provided documentary evidence prior to the hearing and while a number of issues were raised in relation to the service of this evidence, it was not referred to during the hearing as the parties decided to settle the matter between them.

Analysis & Conclusion

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. During the hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of the dispute.

After a discussion between the parties surrounding the circumstances of the dispute, both parties **agreed** to settle the Landlords’ application **in full**. The Tenants consented to the Landlord keeping the full amount of their security deposit, in the amount of \$425.00 which the Landlords currently hold, in full satisfaction of the Landlords’ application.

At the conclusion of the hearing, the Tenants explained that they had made a Tenant’s Application for Dispute Resolution for the return of the security deposit and recovery of

the filing fee. The Tenants had been provided with the Notice of Hearing documents by e-mail from the Residential Tenancy Branch for a hearing scheduled for June 10, 2014 at 9:00 a.m. However, the Tenants had not yet served the hearing documents to the Landlords at the time of this hearing.

The Tenants consented to the cancellation of this hearing based on the above agreement as their application is now moot. As a result, the Tenants' Application for Dispute Resolution scheduled for June 10, 2014 is hereby cancelled. As a result, there is no requirement for the parties to appear for this hearing.

As there are no other issues for me to deal with in relation to the Landlords' and Tenants' applications for the dispute codes above, both files are now closed.

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: February 25, 2014

Residential Tenancy Branch

