



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, FF

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution made by the tenants for money owed or compensation for damage or loss under the *Residential Tenancy Act* (referred to as the “Act”), regulation or tenancy agreement; and to recover the filing fee from the landlords for the cost of making this application.

Both landlords and one of the tenants appeared for the hearing. The tenants served each landlord with the Notice of Hearing documents and evidence by registered mail. Both Canada Post tracking numbers and the registered mail receipts were provided as evidence for this method of service. Section 90 of the Act states that a document served by mail is deemed to have been received five days after it is mailed. Only one of the landlords confirmed receipt of the hearing documents. Based on the documentary evidence provided by the tenants in the form of the tracking numbers, I find that the tenants served **both** landlords in accordance with the Act.

At the start of the hearing, I made some preliminary comments about the written submissions provided by both parties prior to the hearing. I then invited both parties to provide some verbal testimony in relation to the dispute. However, both parties indicated that they were willing to settle the matter between them.

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. During the hearing, the parties turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to settle the tenants’ application in full under the following terms:

1. The landlords agreed to pay the tenants monetary compensation in the amount of **\$1,056.41** in accordance with the compensation requirements of a notice to end tenancy for landlord's use of property and the filing fee for this application.
2. The tenant provided the landlord with a PO BOX address for this payment to be sent to the tenants upon the landlord's receipt of this decision.
3. The tenants will have a Monetary Order in this amount which is enforceable **if** the landlords fail to make payment.

Conclusion

For the reasons set out above, I grant the tenants a Monetary Order in the amount of \$1,056.41. This order is final and binding on the parties and may be enforced.

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 14, 2014

Residential Tenancy Branch

