



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: MNDC, FF

### Introduction

This hearing concerns the tenant's application for a monetary order as compensation for damage or loss under the Act, Regulation or tenancy agreement / and recovery of the filing fee. Both parties attended and gave affirmed testimony.

### Issue(s) to be Decided

Whether the tenant is entitled to the above under the Act, Regulation or tenancy agreement.

### Background and Evidence

Pursuant to a written tenancy agreement, a copy of which is not in evidence, the tenancy began on April 01, 2012. Monthly rent was \$830.00 and a security deposit of \$400.00 was collected.

Arising principally from the tenant's concerns related to mould found in the unit, the tenant vacated the unit on September 17, 2013. Thereafter, the landlord repaid the tenant's full security deposit of \$400.00, and reimbursed rent in the amount of \$400.00 in consideration of the tenant's having vacated the unit before the end of September 2013. Subsequently, the tenant filed an application for compensation related to her claim that certain personal possessions had to be either cleaned, or disposed of, or replaced as a result of the mould. During the hearing the parties exchanged views around circumstances surrounding the dispute, and undertook to achieve a resolution.

### Analysis

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, forms and more can be accessed via the website: [www.rto.gov.bc.ca](http://www.rto.gov.bc.ca)

Section 63 of the Act speaks to the **Opportunity to settle dispute**, and provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion led to a resolution and it was specifically agreed as follows:

### **RECORD OF SETTLEMENT**

- that the landlord will pay the tenant **\$375.00**, and that a **monetary order** will be issued in favour of the tenant to that effect;
- that the above payment will be by way of **money order** issued by either a bank or a post office;
- that the landlord will put the above payment into the mail to the tenant by not later than **midnight, Tuesday, March 11, 2014**;
- that the above particulars comprise **full and final settlement** of all issues in dispute for both parties that arise from this tenancy.

### Conclusion

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the tenant in the amount of **\$375.00**. If necessary, this order may be served on the landlord, filed in the 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: March 04, 2014

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Residential Tenancy Branch

