Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Codes: MNDC,ERP, RTP, RR. FF, MNR,SD

Introduction:

The tenants brought an application for compensation as a result of a flooding basement during their tenancy. The landlord made a monetary claim for loss of revenue and unpaid utilities in file No. 821603.

Facts:

Both parties attended a conference call hearing. A two year fixed term tenancy began on June 1, 2012 with rent in the amount of $ 1,300.00 due in advance on the first day of each month. The tenants paid a security deposit totalling $ 600.00.00 on April 19, 2012. The tenants moved out on April 30, 2014 and the landlord claimed that he incurred loss of revenue and arrears in utilities.

Settlement:

The parties settled this matter and they have asked that I record the agreement pursuant to section 63(2) as follows:

    a.   In satisfaction for all claims the landlord and tenant now have or may have arising from this tenancy the parties agree that the landlord shall pay the tenant the sum of $ 1,600.00 inclusive of the tenant's security deposit, and

    c.   In consideration for this mutual settlement the parties agree that no further claims will be made by either party whatsoever arising from this tenancy.

Conclusion:

As a result of the settlement I Ordered the landlord to return the tenants' security deposit of $ 600.00 and an additional sum of $ 1,000.00. I granted the tenants a monetary Order in the amount of $ 1,600.00. This order may be filed in the Small Claims Court and enforced as an order of that Court. There shall be no order as to reimbursement of the filing fee to either party. I have dismissed all other claims made by the landlord in file 821603 and the tenants in file 253675 without leave to reapply.

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: May 20, 2014

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Residential Tenancy Branch