



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNSD, FF
 MNSD, FF

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution (the “Application”) made by the Landlords and the Tenants. The Landlords applied for a Monetary Order for damage to the rental unit, to retain the security deposit and to recover the filing fee for the cost of making the Application. The Tenants applied for the return of the security deposit and to recover the filing fee for the cost of making their Application.

At the start of the original hearing on March 12, 2014, the Landlords had not submitted the Condition Inspection report prior to the hearing; however, the Tenants confirmed that the Landlord had completed the reports but there were discrepancies with the content. Without this document before me, which was significant to the Applications, I was unable to make a determination in this case and the parties agreed to adjourn the hearing for submission of this document by both parties for this reconvened hearing.

As a result, an Interim Decision was issued to both parties allowing the Landlords and Tenants to submit the condition inspection report and to allow the Tenants to submit a witness statement and documents pertaining to the installation of a sprinkler system.

Both Landlords and three Tenants appeared for this reconvened hearing. The Tenants’ written evidence that had been submitted in the interim time period was not considered in the hearing because it had not been served to the Landlords in accordance with the Rules of Procedure and the instructions detailed in the Interim Decision.

However, during the hearing, the Landlords and Tenants decided to settle the issues between them through a mutual agreement, the details of which have been recorded below. The Landlords and Tenants were asked at the end of the hearing to confirm the terms and conditions recorded below, which they did.

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 both applications.

Both parties agreed to settle **both** applications in full under the following terms:

1. The Tenants and Landlords agreed to settle all of the matters associated with the tenancy in the amount of \$1,350.00 payable to the Landlords by the Tenants.
2. The Tenants consented to the Landlords keeping the Tenants' security deposit in the amount of \$850.00 in partial satisfaction of the above agreed amount.
3. As a result, The Landlord is issued with a Monetary Order for the remaining amount of \$500.00 to be paid to the Landlords forthwith.

This agreement is fully binding on the parties and is in full and final satisfaction of **all** the issues associated with the tenancy documented above.

For the reasons set out above, I grant the Landlords a Monetary Order in the amount of **\$500.00** pursuant to Section 67 of the Act. This order must be served on the Tenants and may be filed in the Provincial Court (Small Claims) and enforced as an order of that court if the Tenants fail to make payment in accordance with the above agreed conditions.

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 12, 2014

Residential Tenancy Branch

