



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PENDER STREET HOLDINGS LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

MNDC, MNSD, MND, RPP, FF.

Introduction

This hearing dealt with applications by the landlord and the tenant, pursuant to the *Residential Tenancy Act*.

The landlord applied for a monetary order to recover the cost of hiring a bailiff, mailing costs, for the filing fee and to retain the security deposit in satisfaction of his claim. The tenant applied for the return of rent for January, the cost of hotel accommodation, moving costs, storage costs, for the cost of her time, for the filing fee and for the return of the security and pet deposits. The tenant also applied for the return of items left behind in the rental unit.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to a monetary order? Is the tenant entitled to a monetary order and to the return of her security deposit?

Background and Evidence

The tenancy started in January 2013 and ended on January 26, 2014 when the landlord enforced an order of possession. The monthly rent was \$1,400.00 and prior to moving in the tenant paid a security deposit of \$700.00 and a pet deposit of \$700.00.

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

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the Arbitrator may assist the parties settle their dispute and if the parties settle their dispute during the hearing, the settlement may be recorded in the form of a decision or an order.

During this hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. The landlord agreed to pay the tenant \$1,650.00 in full and final settlement of all claims against the tenant.
2. The tenant agreed to accept \$1,650.00 from the landlord in full and final settlement of all claims against the landlord. A monetary order in favour of the tenant for this amount will be granted to the tenant.
3. The parties stated that they understood and agreed that the above particulars comprise full and final settlement of all aspects of the dispute for both parties.

Conclusion

Pursuant to the above agreement, I grant the tenant a monetary order under section 67 of the *Residential Tenancy Act* for the amount of **\$1,650.00**. This order may be 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: May 21, 2014

Residential Tenancy Branch

