



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding MIDWEST PROPERTY MANAGEMENT
and [tenant name suppressed to protect privacy]

AGREEMENT BETWEEN BOTH PARTIES

Dispute Codes

MND, MNR, MNSD, MNDC, FF, O

Introduction

This hearing was convened by way of conference call in response to the landlord's application for a Monetary Order for unpaid rent; a Monetary Order for damage to the unit, site or property; for an Order permitting the landlord to keep all or part of the tenants' security deposit; for a Monetary Order for money owed or compensation for damage or loss under the *Residential Tenancy Act (Act)*, regulations or tenancy agreement; and to recover the filing fee from the tenants for the cost of this application.

Through the course of the hearing the landlord's agent and the tenants came to an agreement in settlement of the landlord's claims.

The Parties did not require me to make a decision in this matter but required me to record the agreement they mutually reached.

This agreement is as follows:

- The tenants agreed to pay the \$10,000.00 deductible for the landlord's insurance claim due to the water damage caused by the tenants in the unit;
- The tenants agreed that the amount of \$10,000.00 will be paid by either the tenant's (RH) father's insurance company as discussed during the hearing or in the event that insurance company will not pay this amount it will be paid by the tenants;

- The parties agreed that the landlord will be issued with a Monetary Order for \$10,000.00 to be served upon the tenants in the event the tenant's father's insurance company does not pay this amount to the landlord;
- The landlord agreed that the tenants' security deposit will not be applied to the deductible insurance payment and will be returned to the tenant RH within 10 days of receiving the amount of \$10,000.00 from either the tenants or the tenant's father's insurance company;
- The tenant RH agreed to return the sum of \$385.50 to the tenant KL within five days of receiving the security deposit from the landlord.
- The landlord's agent agreed to withdraw the landlord's application in its entirety.

The tenant KL provided her forwarding address to the tenant RH and the landlord's agent at the hearing.

Conclusion

Both Parties have reached an agreement during the hearing and this agreement has been recorded by the Arbitrator pursuant to section 62 of the *Act*.

This agreement is in full, final and binding settlement of the landlords application.

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: September 22, 2014

Residential Tenancy Branch

