



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes

MNSD, MNDC

Introduction

This hearing was convened in response to an application by the tenant, seeking the return of rent for December 2014 in the amount of \$400.00.

Both parties attended the conference call hearing. The hearing was assisted by an interpreter for the deaf and hard of hearing for all participants of the hearing. Upon clarification of the tenant's application the parties both provided testimony. The parties agree the tenancy started March 05, 2014. On November 03, 2014 the tenant provided notice to the landlord they were vacating December 01, 2014, and did so in late November 2014. On or before the tenant vacated the rental unit the landlord received the tenant's rent for December 2014 from the Ministry of Social Development. The landlord testified that they attempted to return the rent of \$400.00 to the Ministry of Social Development in early December 2014; however a discrepancy in communication prevented it and therefore they held the money in trust. The tenant testified that their shelter portion of benefits for December 2014 is being retained and they need it to pay the rent for December 2014. During the course of the hearing, the parties discussed their dispute and reached agreement to settle this application *to the parties' mutual satisfaction*, and that I record the parties' settlement as per Section 63 of the Act, as follows.

1. The parties agree the landlord will return the rent portion of the tenant's benefits for December 2014, in the amount of \$400.00, to the Ministry of Social Development, and,

2. The tenant will make application to the Ministry of Social Development for the rent portion of their benefits, for December 2014 in the amount of \$400.00.
3. The parties agreed to provide a copy of this settlement agreement to the Ministry of Social Development, in support of their settlement and their actions going forward.

Conclusion

The parties have agreed to resolve their dispute under the terms of the settlement agreement as set out herein.

This Decision and Settlement is final and binding on both parties.

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: February 10, 2015

Residential Tenancy Branch

