



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

*A matter regarding PLAN A REAL ESTATE SERVICES LTD
and [tenant name suppressed to protect privacy]*

DECISION

Dispute Codes AS, FF, 0

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant filed under the Residential Tenancy Act, (the “Act”), to allow a tenant to assign or sublet because the landlord’s permission has been unreasonably withheld, and to recover the filing fee from the landlord.

Both parties appeared.

During the hearing the parties agreed to settle the matter of the tenancy on the following conditions:

- The parties agreed the tenancy legally ended on February 28, 2015;
- The parties agreed that the tenant has received the return of the security deposit;
- The landlord’s agent agreed that they will not be seeking to recover the liquidated damages stated in the tenancy agreement; And
- The parties agreed that neither party are entitled to file any future claims against this tenancy.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Although this matter was settled and it appears by the evidence that the tenant’s application had merit and the landlord could have avoided this hearing by entering into a written agreement prior to the tenant filing their application. I find the tenant is entitled to recover the filing fee from the landlord.

I order that the landlord pay to the tenant the amount of **\$50.00** to recover the filing fee for this application. The tenant is granted a formal order pursuant to section 67 of the Act.

This order may be filed in the Provincial Court (Small Claims) and enforced as an order of that Court.

Conclusion

The tenancy has legally ended. Neither party are entitled to file any future claims that relate to this tenancy. The landlord is order to pay the tenant \$50.00 to recover the cost of the filing fee.

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: March 04, 2015

Residential Tenancy Branch

