



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

This matter dealt with an application by the Tenants for the return of the security deposit and the filing fee for this proceeding.

The Tenant said she served the Landlords with the Application and Notice of Hearing (the “hearing package”) by registered mail on October 15, 2014. Based on the evidence of the Tenants, I find that the Landlords were served with the Tenants’ hearing package as required by s. 89 of the Act and the hearing proceeded with both the Landlord and the Tenant in attendance.

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

1. The Landlords will pay the Tenants \$798.72 as full settlement of the Tenants claim.
2. The Tenants accept the amount of \$798.72 as full settlement of their claim.
3. The Tenants will receive a monetary Order in the amount of \$798.72 in support of this agreement.

Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 of the Act the Landlords and the Tenants agreed to the above arrangement.

As no further action is required on this file, the file is closed.

It should be noted that following the hearing it was discovered that the Landlord had made an application as well. The Arbitrator did not have the Landlords’ application and the Landlord made no reference to their application during the hearing. Consequently

the Landlords' application was not directly dealt with at the hearing. Given that the Landlord did not make a reference to their application and the Landlord agreed to the above settlement I find the settlement agreement applies to both applications. Both files are closed as a result of the settlement agreement.

Conclusion

The Parties agreed to settle their claims as per the arrangement above.

The Tenants have received a Monetary Order for \$798.72 as full settlement of their application and claim.

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 19, 2015

Residential Tenancy Branch

