



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, FF

Introduction

This hearing was convened in relation to the tenant's application for compensation pursuant to section 51 of the *Residential Tenancy Act* (the Act) and recovery of his filing fee from the landlord.

The tenant and landlord both appeared.

The principle issue in this dispute was apportionment of liability between former and successive landlords on sale of the property. At the hearing, the landlord stated that she had been compensated \$725.00 by the former landlord's realtor to settle the matter.

In the course of the hearing the parties were able to reach a final and binding settlement of this dispute.

Analysis

Pursuant to section 63 of the Act, an arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

During this hearing, the parties reached an agreement to settle their dispute under the following final and binding terms:

1. The tenant agreed to withdraw his application.
2. The landlord agreed to pay \$775.00 to the tenant.

The parties stated that they understood the terms of the agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of their disputes for both parties.

Conclusion

The tenant's application is withdrawn.

The monetary order is to be used if the landlord does not pay \$775.00 to the tenant in accordance with their agreement. The tenant is provided with this order in the above terms and the tenant may serve the landlord with this order so that he may enforce it in the event that the landlord does not pay the amounts set out in their agreement. Should the landlord fail to comply with this order, this order may be filed in the Small Claims Division of the Provincial 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 subsection 9.1(1) of the Act.

Dated: June 08, 2015

Residential Tenancy Branch

