



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Codes: CNC, OPC, OPR, LRE, MNDC, MND, MNSD, MNR.

Introduction:

The tenants have applied for a monetary order for recovery of out of pocket expenses resulting from a septic backup, and sought to cancel two Notices to End the Tenancy dated May 31 and June 2, 2015. The landlords requested an Order for Possession pursuant to the aforesaid Notices, recovery of unpaid utilities as well as unpaid rent and loss of revenue.

Facts:

Both parties attended a conference call hearing. A tenancy began on January 1, 2015 with rent in the amount of \$ 1,950.00 due in advance on the first day of each month. The tenants paid a security deposit totalling \$ 875.00 on December 5, 2014. The tenants moved out on June 30, 2015.

Settlement:

The parties settled this matter and they have asked that I record the agreement pursuant to section 63(2) as follows:

- a. In satisfaction for all claims the landlords and tenants have in this matter only, the parties agree that the landlords will be permitted to retain all the tenants' security deposit amounting to \$ 875.00, and
- b. In satisfaction for all claims the landlords and tenants have in this matter only, the parties agree that the tenants shall pay the landlords the additional sum of \$ 2,950.00 by September 30, 2015.

Conclusion:

As a result of the settlement I ordered that the landlords retain all the security deposit amounting to \$ 875.00 and I granted the landlords a monetary Order in the amount of \$ 2,950.00 effective on September 30, 2015. This order may be filed in the Small Claims Court and enforced as an order of that Court. There shall be no order as to reimbursement of the filing fee to either party as it was not a negotiated term of the settlement. I have dismissed all other claims made herein by the landlords and tenants without leave to reapply.

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: July 22, 2015

Residential Tenancy Branch

