



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes

CNR MNR OPR MNDC FF

Introduction

This hearing was convened in response to *in hearing* orally amended cross-applications by the parties under the *Residential Tenancy Act* (the Act) for Monetary Orders respecting unpaid rent for the landlord, and in respect to loss for the tenant; and to recover respective filing fees.

Both parties attended the conference call hearing and provided their testimony and submissions and were permitted to discuss their dispute, present evidence and ask questions.

Issue(s) to be determined

Is the landlord entitled to the monetary amount claimed?

Is the tenant entitled to the monetary amount claimed?

Background and Evidence

This tenancy ended on July 23, 2015. Rent was in the amount of \$1750.00. The parties agreed there is a quantum of unpaid rent owed to the landlord.

During the course of the hearing, the parties discussed their respective claims on application and turned their minds to compromise. The parties reached agreement, choosing to settle their claims on application to the parties' mutual satisfaction on the following conditions, and at their request that I record the parties' settlement as per Section 63 of the Act as follows.

1. The landlord and tenant agree **the tenant owes total unpaid rent in the agreed adjusted amount of \$3000.00**, and

2. The parties agree that so as to perfect the settlement, the landlord will receive a **Monetary Order in the agreed amount of \$3000.00**. If the parties act on their agreement and the landlord pays the tenant the agreed amount, the Monetary Order automatically becomes null and of no effect.

As the parties were able to mutually resolve their dispute I decline to grant recovery of filing fees.

Conclusion

I grant the landlord a **Monetary Order** under Section 67 of the Act in the amount of **\$3000.00**. The landlord is being given this Order. If the tenant does not pay the landlord the agreed amount, the landlord may serve the Order on the tenant. If necessary, the Order may be filed in Small Claims Court and enforced as an order of that court.

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: September 09, 2015

Residential Tenancy Branch

