



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes

OPT AAT MNDC

Introduction

This hearing was convened in response to an application by the tenant under the *Residential Tenancy Act* (the Act) for an Order of Possession and for access to the unit, as well as a Monetary Order in respect to loss.

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

This tenancy began in 2009 and ended on August 31, 2015 when the tenant surrendered their keys to the unit. The landlord holds the tenant's security deposit of \$400.00 in trust. During the course of the hearing, the parties discussed their dispute and turned minds to compromise. The parties reached agreement, choosing to settle this matter for all time, *in full satisfaction of the tenant's current claim, and 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. In satisfaction for all claims the landlord or tenant now have, or may have arising from this tenancy, the landlord and tenant agree that the landlord shall return to the tenant the amount of **\$650.00**, forthwith, and no later than 6:00 p.m. September 18, 2015. So as to perfect the settlement agreement the tenant will receive a Monetary Order in the agreed amount owed by the landlord. 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.

Conclusion

I grant the tenant a **Monetary Order** under Section 67 of the Act in the amount of

\$650.00. The tenant is being given this Order. If the landlord does not pay the tenant the agreed amount, the tenant may serve the Order on the landlord. 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 14, 2015

Residential Tenancy Branch

