



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, MNDC, RP, RR, FF

### Introduction

This was an application by the tenants to cancel a Notice to End the Tenancy for non-payment of rent dated September 2015, a monetary Order for compensation for remediating flood damage, the replacement cost of two mattresses, a sewing machine, an Order to make repairs and an Order to reduce the rent.

### Facts:

A hearing was conducted in the presence of all parties. A tenancy began on August 1, 2015 with rent in the amount of \$ 850.00 due in advance on the first day of each month. The tenants paid a security deposit amounting to \$ 550.00 on August 1, 2015. There was a flood in the suite causing damage to the tenant's property; in particular two mattresses and a sewing machine. The tenants remediated the flood. The tenants did not pay any rent from August through October 2015.

### Settlement:

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

- a. The parties have agreed to end the tenancy effective October 31, 2015 at 1:00 PM,
- b. The tenants will not pay any rent for August and September 2015 as consideration for this settlement and in exchange have abandoned all their claims herein and in particular for the cost of two mattresses, a sewing machine and their labour for the remediation of the flood damage, and

- c. The tenants acknowledge their obligation to pay rent for the month of October at \$ 850.00 and promise to pay this as soon as possible.

Conclusion:

As a result of the settlement I have granted the landlords an Order for Possession effective October 31, 2015 at 1:00 PM. This order may be enforced in the Supreme Court of B.C. There shall be no order as to reimbursement of the filing fee herein as it was not part of the settlement. I have dismissed all of the tenants' claims herein. The parties are cautioned to deal with the security deposit in compliance with section 38 of the Act. The landlords must serve the tenants with a copy of this decision and Order as soon as possible.

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: October 27, 2015

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Residential Tenancy Branch

