



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND MNR MNSD FF

Introduction

This hearing was convened as a result of the landlord's application for dispute resolution under the *Residential Tenancy Act* (the "*Act*"). The landlord applied for a monetary order for unpaid rent or utilities, for damages to the unit, site or property, for authorization to retain all or part of the tenants' security deposit, and to recover the cost of the filing fee.

Tenant S.T. (the "tenant"), the landlord, and an agent for the landlord (the "agent") attended the teleconference hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

Preliminary and Procedural Matter

At the outset of the hearing, the parties agreed that tenant S.T. was missing from the landlord's application and by consent of the parties, and in accordance with section 64(3) of the *Act* the landlord's application was amended to include the name of tenant S.T. as a respondent tenant.

Settlement Agreement

During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The tenants agree to pay **\$3,443.19** as claimed by the landlord which includes credit for the tenants' security deposit. The tenants will confirm that the landlord has received the \$1,000 payment referred to by the tenant during the hearing paid after November 1, 2015 by communicating with the landlord by email. The email address of the landlord was confirmed by the parties during the hearing.

2. The landlord is granted a monetary order pursuant to section 67 of the *Act* in the amount of **\$3,443.19**, which will be of no force or effect if the amount owing has been paid in accordance with #1 on or before **November 9, 2015 by 5:00 p.m.**
3. The landlord agrees to withdraw his application in full as part of this mutually settled agreement and waives the cost of the filing fee.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement above.

The landlord is granted a monetary order pursuant to section 67 of the *Act* in the amount of \$3,443.19, which will be of no force or effect if the amount owing has been paid in accordance with #1 and #2 above. Should the landlord require enforcement of the monetary order, the monetary order must be served on the tenants and may be filed in the Provincial Court (Small Claims) and enforced as an order of that court.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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: November 5, 2015

Residential Tenancy Branch

