



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes RPP, FF, O

Introduction

These hearings took place in response to an Application for Dispute Resolution (the “Application”) made by the Tenant for the return of personal property, to recover the filing fee from the Landlord, and for “Other” issues.

The Landlord, the Tenant and the Tenant’s advocate appeared for the hearings. The Tenant also called a witness during the hearings. The parties provided affirmed testimony as well as documentary evidence prior to the hearings.

At the first hearing the Landlord confirmed receipt of the Tenant’s Application and each other’s documentary evidence. The first hearing was adjourned to allow the parties to submit further evidence. At the reconvened hearing, the parties confirmed the receipt of each other’s additional evidence. I also recapped with the parties the evidence that had been provided during the first hearing.

During the course of the reconvened hearing, I offered the parties an opportunity to settle the Tenant’s Application by way of a settlement agreement. The parties discussed the issues between them, turned their minds to compromise and reached an agreement to settle the Tenant’s Application.

Settlement Agreement

Pursuant to Section 63 of the Act, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

The Landlord agreed to return the Tenant’s personal property which she was currently storing at her home address. This property is to be returned to the Tenant during the period of December 22, 23 and 24, 2015. The Tenant is responsible to make arrangements to collect her property from the Landlord’s residence by these dates.

However, if the Tenant is unable to collect all her property by December 24, 2015, further arrangements will be made between the parties for the Tenant to collect the remainder of any property the Landlord may still have by January 31, 2016.

As the parties reached a settlement agreement for the Tenant's Application, I declined the Tenant's request to recover the filing fee. The Tenant confirmed during the hearing that her Application did not involve a monetary component and she only wanted resolution in relation to the return of the property at this moment in time.

This agreement is fully binding on the parties. The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and the parties understood the full nature of resolution in this manner. This file is now closed.

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: December 18, 2015

Residential Tenancy Branch

