



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MND, MNSD, FF (Landlords' Application)  
                             MNSD, MNDC, FF (Tenant's Application)

### Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution (the "Application") made by both the Tenant and the Landlords. The Landlords applied for a Monetary Order for damage to the rental unit and to keep the Tenant's security and pet damage deposits. The Tenant applied for the return of the security and pet damage deposits and for money owed or compensation for damage or loss under the *Residential Tenancy Act* (the "Act"). Both parties also applied for the recovery of the filing fee for the cost of making their Application.

The Landlords named in both Applications appeared for the hearing with the Tenant. In addition, one of the Landlords (EM) named on the Landlord's Application was represented by an agent (WKO). All participants took an affirmation in relation to oral testimony which would be provided during the course of the hearing. The Landlords confirmed their relationship in respect to this dispute and confirmed they were all part of this dispute as detailed in the reference section on the front page of this decision.

The parties were invited to make opening submissions and arguments regarding their Applications. After these were made, I provided the parties an opportunity to settle both Applications in full and final satisfaction by mutual agreement. The parties discussed at length the issues between them, engaged in a conversation, turned their minds to compromise and decided that resolution was best by way of settlement. The negotiations concluded with the Tenant putting forward a final offer for complete settlement of this matter which the Landlords agreed to.

### Analysis & Conclusion

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.

Both parties **agreed** to settle their respective disputes **in full** satisfaction as follows:

- The parties agreed that the Landlords will give the Tenant \$1,200.00 in total compensation which includes the Tenant's full security and pet damage deposits, her filing fee, and other costs.
- The parties agreed that this payment will be made to the Tenant forthwith in the form of a cheque to be sent to the address confirmed by the Tenant on her Application. The deadline to do this is by December 31, 2015.
- The Landlords are cautioned to ensure that documentation is retained in relation to any payments made.
- The Tenant is issued with a Monetary Order in the amount of \$1,200.00 which is enforceable in the Small Claims court **if** the Landlords fail to make payment in accordance with this agreement. Copies of this order are provided with the Tenant's copy of this decision.

The parties confirmed that this agreement was made voluntarily and is in full and final satisfaction of both parties' monetary claims. Therefore, no further Applications are permitted and these files are 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 07, 2015

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Residential Tenancy Branch

