



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDC, OLC

Introduction

This hearing was convened in relation to the tenant's amended application pursuant to the *Residential Tenancy Act* (the Act) for:

- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- authorization to obtain a return of all or a portion of her security deposit pursuant to section 38; and
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62.

The tenant attended the hearing. The tenant was assisted by her advocate. The landlord's agents attended the hearing.

In the course of the hearing the parties were able to agree to a resolution of all outstanding matters regarding this tenancy, which has now ended.

Preliminary Issue – Amendment to Tenant's Application

The tenant made multiple amendments to her application on 18 January 2016. At the hearing, I confirmed the amendments with the tenant and her advocate. The agent AD consented to all amendments on the landlord's behalf. The amended style of cause is reflected on this decision.

Analysis

Pursuant to section 63 of the Act, an 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. During the

hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of this dispute.

During this hearing, the parties reached an agreement to settle this dispute under the following final and binding terms:

1. The tenant agreed to withdraw her application.
2. The landlord agreed to pay to the tenant \$1,000.00, which includes return of the tenant's security deposit.
3. The landlord agreed to deliver the payment to the tenant's advocate's office.
4. Both parties agreed that this settlement resolves all outstanding issues between the parties.

The agent AD confirmed that she had authority to bind the landlord to this agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of their disputes for both parties.

Conclusion

The tenant's application is withdrawn.

I issue a monetary order in the tenant's favour in the amount of \$1,000.00. The tenant is provided with a monetary order in the above terms. Should the landlord(s) fail to comply with this order, this order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: February 01, 2016

Residential Tenancy Branch

