



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL, MT, MNDC, FF, O

### Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution (the “Application”) made by the Tenants to: cancel a notice to end tenancy for Landlord’s use of property; for more time to cancel the notice to end tenancy; for money owed or compensation for loss under the *Residential Tenancy Act* (the “Act”); to recover the filing fee; and for “Other” issues.

One of the Tenants and both Landlords named on the Application appeared for the hearing and provided affirmed testimony. The Landlords confirmed receipt of the Tenants’ Application and both parties confirmed receipt of each other’s documentary evidence prior to the hearing.

The hearing process was explained and the participants were asked if they had any questions. At the start of the hearing, the Tenant confirmed that the tenancy had ended and that her request to cancel the notice and for more time to do so was a clerical error. Therefore, I dismissed these portions of the Application.

Both parties provided testimony and evidence in relation to the remainder of the Application. At the end of the hearing, I offered the parties an opportunity to settle the matter through mutual agreement. Both parties took some time to consider resolution in this manner and as a result engaged into a discussion around settling the Application. The parties turned their minds to compromise and were given an opportunity to consult privately throughout the hearing and make counteroffers to offers being presented to each other.

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.

After a lengthy discussion, the parties agreed to settle the Tenants' Application **in full** for the amount of \$3,150.00 in monetary compensation. The Tenants are issued with a Monetary Order for this amount. This order is enforceable in the Provincial (Small Claims) Court as an order of that court **if** the Landlords fail to make payment forthwith under the terms of this settlement agreement.

This agreement and order is fully binding on the parties and is in **full and final** satisfaction of **all** the issues associated with this tenancy. The Tenant confirmed the address as it appeared on the Application for the Landlords to make payment to. The Landlords are cautioned to retain documentary evidence of payment made to meet the terms of this agreement.

The parties confirmed their voluntary agreement to proceed with mutual resolution in this manner both during and at the end of the hearing. 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: April 04, 2016

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Residential Tenancy Branch