



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Codes: CNR, MNDC, LRE, OPR, OPB, MNSD, FF.

Introduction:

The tenants brought an application to cancel a Notice to End a Tenancy, a monetary Order for recovery of sums paid for oil heating, and compensation for repairs. The landlord sought an Order for Possession and made a monetary claim for unpaid rent and utilities.

Facts:

The tenant KS as well as the landlord attended a conference call hearing. I found that the landlord served the tenant TC by registered mail on March 15, 2016 although he no longer resides with the tenant KS and did not attend the hearing. A tenancy began on November 28, 2015 with rent in the amount of \$ 1,450.00 due in advance on the first day of each month. The tenants paid a security deposit totalling \$725.00 on December 1, 2015. The tenants moved out on March 26, 2016.

Settlement:

The parties settled this matter and they have asked that I record the agreement pursuant to section 63(2) as follows:

- a. In satisfaction for all claims the landlord and tenants now have or may have arising from this tenancy the parties agree that the landlord will be permitted to retain the tenants' security deposit of \$ 725.00,
- b. In satisfaction for all claims the landlord and tenants now have or may have arising from this tenancy the parties agree that the tenants shall pay the landlord the additional sum of \$ 803.00 by October 31, 2016., and

- c. In consideration for this mutual settlement the parties agree that no further claims will be made by either party whatsoever arising from this tenancy.

Conclusion:

As a result of the settlement I ordered that the landlord to retain the tenants' security deposit of \$ 725.00 and I granted the landlord a monetary Order in the amount of \$ 803.00. This order may be filed in the Small Claims Court and enforced as an order of that Court. There shall be no order as to reimbursement of the filing fee to either party. I have dismissed all other claims made by the landlord and tenants without leave to reapply. The landlord must serve this Order upon the tenants.

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 12, 2016

Residential Tenancy Branch