



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MNDC, FF

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution (the “Application”) made by the Landlords for a Monetary Order for: unpaid rent or utilities; for money owed or compensation for damage or loss under the *Residential Tenancy Act* (the “Act”), regulation or tenancy agreement; and to recover the filing fee from the Tenant.

Both of the Landlords, the Tenant, and the Tenant’s assistant appeared for the hearing and provided affirmed testimony. The Tenant confirmed receipt of the Landlords’ Application and their documentary evidence. The Landlords denied receipt of the Tenant’s documentary evidence served to this file prior to the hearing. The Tenant confirmed that she did not give the Landlords a copy of the evidence as she was not aware she had to do so. Therefore, I informed the Tenant that I would not consider her evidence as it had not been served to the Landlords pursuant to the Residential Tenancy Branch Rules of Procedure.

The hearing process was explained to the parties and they had no questions about the proceedings. Both parties were given a full opportunity to present their evidence, make submissions to me, and cross examine the other party on the evidence provided. The Landlords presented their monetary claim and the Tenant and her assistant rebutted the Landlords’ evidence during the hearing. At the end of the hearing, the Landlords put forward an offer to the Tenant to settle their Application in full and final satisfaction. The Tenant considered the offer and agreed to accept the Landlords’ proposal to move forward with resolution in this manner.

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. During the

hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of the dispute. Both parties agreed to settle the Landlords' Application in full and final satisfaction under the following terms:

1. The Tenant agreed to pay the Landlords **\$208.00** in full satisfaction of the Landlords' total monetary claim.
2. The parties agreed that they would meet together and this payment will be made on or before May 31, 2016.
3. The Tenant is cautioned to ensure that documentation is retained in relation to the payment made.
4. The Landlords are issued with a Monetary Order for \$208.00 which is enforceable in the Small Claims Division of the Provincial Court as an order of that court **if** the Tenant fails to make the payment under the terms and conditions above.

The parties confirmed their voluntary agreement to resolution in this manner both during and at the end of the hearing. This agreement is fully binding on the parties and is in **full and final satisfaction** of the issues associated with this tenancy. No further Applications are permitted and 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 28, 2016

Residential Tenancy Branch