



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, FF

Introduction

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

- a monetary order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67; and
- authorization to recover her filing fee for this application from the tenant pursuant to section 72.

The landlord attended the hearing. The tenant MA attended the hearing on behalf of both tenants.

The parties initially agreed to adjourn the hearing to be heard at a later date; however, the parties were able to reach a mediated settlement to resolve all outstanding issues between the landlord and tenants.

Background

This tenancy began 1 September 2015 and ended 8 February 2016.

The relationship between the parties is acrimonious. This is one of four applications for dispute resolution filed in respect of this tenancy.

The first application for dispute resolution was in respect of a 1 Month Notice to End Tenancy for Cause (the 1 Month Notice). The hearing for that application occurred on 26 November 2015. The 1 Month Notice was cancelled.

The second and third applications for dispute resolution were in respect of a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the 10 Day Notice). The hearing for those applications occurred on 1 March 2016. The 10 Day Notice was found to be valid and a monetary order in the amount of \$1,500.00 was issued in favour of the landlord.

The tenants assert that they have an unfiled claim for compensation for various issues that occurred in the course of the tenancy.

Record of Settlement

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 achieved a resolution of their dispute under the following final and binding terms:

1. The tenants agree to satisfy the 1 March 2016 monetary order by sending three post-dated cheques to the landlord's address (as set out on the covering page to this decision):
 - a. \$500.00 dated 20 July 2016;
 - b. \$500.00 dated 20 August 2016; and
 - c. \$500.00 dated 20 September 2016.
2. The landlord agrees to release the tenants from the claims set out in this application and any other claims arising out of this tenancy, which has ended.
3. The tenants agree to release the landlords from any other claims arising out of this tenancy, which has ended.

The tenant MA confirmed she has authority to act on behalf of her cotenant. Each party present stated that she understood the terms of 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 tenants will arrange to satisfy the outstanding monetary order. The parties release each other from all claims.

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: June 09, 2016

Residential Tenancy Branch