



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *MNDC, OLC, RPP, LRE, RR, FF*

Introduction

This hearing dealt with an application by the tenant pursuant to the *Residential Tenancy Act* for a monetary order for compensation for loss under the *Act* and to recover the filing fee. The tenant also applied for various other remedies related to the tenancy which were withdrawn by the tenant as the tenancy has ended.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions. The tenant acknowledged receipt of evidence submitted by the landlord. Both parties gave affirmed testimony.

Issues to be decided

Has the tenant established a claim for compensation? Is the tenant entitled to the recovery the filing fee?

Background and Evidence

The tenancy started on July 20, 2015 for a fixed term of one year with an effective end date of July 21, 2016. The rent was \$1,400.00 and was due in advance on the first day of each month. The tenant was also required to pay utilities in the amount of \$120.00.

On April 24, 2016, the landlord served the tenant with a two month notice to end tenancy for landlord's use of property. The effective date of the notice was June 30, 2016. The tenant did not dispute the notice.

The claim made by the tenant, was discussed at length. During the hearing the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the Arbitrator may assist the parties settle their dispute and if the parties settle their dispute during the hearing, the settlement may be recorded in the form of a decision or an order.

During this hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. The tenant agreed to accept \$180.00 in full and final settlement of all claims against the landlord.
2. The landlord agreed to pay \$180.00 to the tenant in full and final settlement of all claims against the tenant.
3. A monetary order in the amount of \$180.00 will be granted to the tenant.
4. The parties agreed to meet at a mutually convenient time at the rental unit, for the tenant to retrieve his shovel and gas can.
5. Both parties stated that they understood and agreed that the above particulars comprise **full and final settlement** of all aspects of the dispute for both parties.

Conclusion

Pursuant to the above agreement, I grant the tenant a monetary order under section 67 of the *Residential Tenancy Act*, for **\$180.00**. This order may be filed in the Small Claims 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 Section 9.1(1) of the *Residential Tenancy Act*.

Dated: June 22, 2016

Residential Tenancy Branch