



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC, MNSD

### Introduction

The Application for Dispute Resolution filed by the Tenant seeks a monetary order in the sum of \$2938. .

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

I find that the Application for Dispute Resolution/Notice of Hearing was served on the respondent by mailing, by registered mail to where the respondent carries on business on March 15, 2016.

### Issue(s) to be Decided

The issue to be decided is whether the tenant is entitled to a monetary order and if so how much?

### Background and Evidence

The tenancy stated on October 1, 2014. The rent was \$375 per month payable in advance on the first day of each month. The applicant paid a security deposit of \$187,50 at the start of the tenancy. The tenancy ended some time in the middle of October when the landlord's employees forced the tenant to leave.

Neither party produced a copy of the tenancy agreement. The landlord failed to produce any documents.

The landlord raised a question as to whether the Residential Tenancy Branch has jurisdiction alleging the rental unit was transitional housing and is exempt from the Act. The tenant disputes this. The landlord asked for an adjournment which was opposed by

the Tenant. The parties turned their attention to see whether a settlement could be reached.

The tenant seeks a monetary order for the return of rent paid for November 2015 (the tenant was forced to leave prior to that date), double the security deposit and compensation for goods that were lost after he was forced to leave and the landlord took possession.

Settlement:

At the hearing the parties reached a settlement and they asked that I record the settlement as follows:

- a. The landlord shall pay to the Tenant the sum of \$750 by July 20, 2016.
- b. This is a full and final settlement and each party releases and discharges the other from all further claims with regard to this tenancy.

Monetary Order and Cost of Filing fee

I ordered the landlord(s) to pay to the tenant the sum of \$750.

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial 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: July 14, 2016

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Residential Tenancy Branch

