



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND MNR MNSD MNDC O FF – Landlords' application
 MNDC MNSD FF – Tenants' application

Introduction

This hearing was convened to hear matters pertaining to cross Applications for Dispute Resolution filed by the Landlords and the Tenants.

The Landlords filed on January 18, 2016 seeking \$569.18 monetary compensation. The Tenants filed on January 18, 2016 seeking \$900.00 monetary compensation.

The hearing was conducted via teleconference and was attended by the female Landlord and both Tenants. Each person gave affirmed testimony and the female Landlord testified she would be represented both Landlords. Therefore, for the remainder of this decision, terms or references to the Landlords importing the singular shall include the plural and vice versa, except where the context indicates otherwise.

I explained how the hearing would proceed and the expectations for conduct during the hearing, in accordance with the Rules of Procedure. Each party was provided an opportunity to ask questions about the process however, each declined and acknowledged that they understood how the conference would proceed.

Issue(s) to be Decided

Have the parties agreed to settle these matters?

Background and Evidence

The parties entered into a written fixed term tenancy agreement that began on January 1, 2016 and was not scheduled to end until December 31, 2016. On or before December 29, 2015 the Tenants paid \$450.00 as the security deposit. The Tenants moved into the rental unit the morning of January 1, 2016 and moved out of the rental unit the morning of January 2, 2016.

During the course of this proceeding the parties agreed to settle these matters.

Analysis

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 achieved a resolution of their dispute on the following terms:

- 1) The Tenants agreed to withdraw their application for Dispute Resolution;
- 2) The Landlord agreed to withdraw their application for Dispute Resolution
- 3) The Landlord agreed to pay the Tenants **\$350.00** as full and final compensation;
- 4) The \$350.00 payment will be sent to the Tenants by the Landlord via email transfer to the email address provided by the male Tenant during the hearing (as listed on the front page of this Decision), no later than September 12, 2016;
- 5) The password to accept the email transfer was provided to the male Tenant during the hearing;
- 6) In consideration for this mutual settlement each person agreed that no further claims will be made by anyone whatsoever arising from this tenancy; and
- 7) Each person agreed that the terms of this settlement agreement were reached by their own free will and without undue pressure or intimidation.

The parties agreed to settle these matters; therefore, I declined to award recovery of the filing fees.

In the event the Tenants do not receive the agreed upon payment of \$350.00 by email transfer as listed above, the Tenants may serve the Landlords the enclosed Monetary Order for **\$350.00**; which may be enforced through Small Claims Court after service upon the Landlords.

Conclusion

The parties agreed to settle these matters, pursuant to section 63 of the Act and the Tenants have been issued a Monetary Order for **\$350.00**.

This decision is final, legally binding, and 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: September 08, 2016

Residential Tenancy Branch