



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNR, FF

### Introduction

This hearing dealt with the landlords' application pursuant to the *Residential Tenancy Act* ("Act") for:

- a monetary order for unpaid rent, pursuant to section 67; and
- authorization to recover the filing fee for this application, pursuant to section 72.

The two landlords, male and female, and the tenant attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses. The female landlord confirmed that the male landlord had authority to speak on her behalf at this hearing, as she did not participate in the full hearing. This hearing lasted approximately 38 minutes in order to allow both parties to fully negotiate a settlement of this matter.

### 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 discussed the issues between them, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

1. The tenant agreed to pay the landlords a total of \$800.00 according to the following payment plan;
  - a. \$75.00 per month starting on December 5, 2016 and continuing until September 5, 2017, with payments being made on the 5<sup>th</sup> day of each month;
  - b. \$50.00 on October 5, 2017;

2. The landlords agreed to accept the above payment of \$800.00 for all outstanding rent owed by the tenant for this entire tenancy;
3. The landlords agreed to bear the cost of the \$100.00 filing fee paid for their application;
4. Both parties agreed that this settlement agreement constitutes a final and binding resolution of the landlords' application at this hearing.

These particulars comprise the full and final settlement of all aspects of this dispute for both parties. Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion. Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute.

### Conclusion

In order to implement the above settlement reached between the parties, and as advised to both parties during the hearing, I issue a monetary Order in the landlords' favour in the amount of \$800.00. I deliver this Order to the landlords in support of the above agreement for use **only** in the event that the tenant does not abide by condition #1 of the above agreement. The tenant must be served with a copy of this Order as soon as possible after the tenant does not abide by condition #1 of the above agreement. Should the tenant fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order of that Court.

The landlords must bear the cost of the \$100.00 filing fee paid for their application.

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: November 14, 2016

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Residential Tenancy Branch