



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** MNDC, OLC, 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.

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

### **Issues to be decided**

Has the tenant established a claim for compensation?

### **Background and Evidence**

The tenancy started on October 01, 2014. The rent is \$1,700.00 and is due in advance on the first day of each month. Prior to moving in the tenant paid a security deposit of \$850.00

The tenant testified that the landlord listed the rental property for sale and the showings started in July 2016. The tenant stated that the realtor made several requests for appointments to show the home. The realtor did not provide at least 24 hours' notice for all the requests. The tenant refused some and allowed some. On August 03, 2016, the tenant notified the landlord that the realtor was not acting in compliance with the *Act*. The landlord spoke with the realtor and the problem was taken care

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 \$1,700.00 in full and final settlement of all claims against the landlord.
2. The landlord agreed to pay \$1,700.00 to the tenant, within 15 days of receipt of this decision, in full and final settlement of all claims against the tenant.
3. A monetary order in the amount of \$1,700.00 will be granted to the tenant.
4. Both parties stated that they understood and agreed that the above particulars comprise **full and final settlement** of all aspects of this dispute for both parties.

Pursuant to the above agreement, I grant the tenant a monetary order under section 67 of the *Residential Tenancy Act*, for **\$1,700.00**. This order may be filed in the Small Claims Court and enforced as an order of that Court.

### **Conclusion**

I grant the tenant a monetary order in the amount of \$1,700.00

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 15, 2016

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Residential Tenancy Branch