



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPN, MNSD, MND, FF

Introduction

This hearing convened as a result of a Landlord's Application for Dispute Resolution filed September 13, 2016 wherein she sought an order of Possession, a Monetary Order for damage to the rental unit, authority to retain the security deposit and recovery of the filing fee.

The hearing occurred over two days, November 8, 2016 and December 22, 2016. Both parties appeared at the hearing and were given a full opportunity to be heard, to present their affirmed testimony, to present their evidence orally and in written and documentary form, and make submissions to me.

The parties agreed that all evidence that each party provided had been exchanged. No issues with respect to service or delivery of documents or evidence were raised.

On the first day of the hearing, the Landlord confirmed the Tenants vacated the rental unit on August 31, 2016 such that her request for an Order of Possession was not required. The Landlord's claim for an Order of Possession is hereby withdrawn.

When the hearing reconvened on December 22, 2016 the parties advised they had reached a comprehensive settlement. The terms of their agreement is recorded in this my Decision pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*.

As the parties resolved matters by agreement I make no findings of fact or law with respect to their relative claims.

Settlement

The terms of their settlement follow.

1. Pursuant to sections 38, 63 and 67 of the *Residential Tenancy Act*, The Landlord shall be entitled to retain the Tenants' pet damage deposit and security deposit in the amount of \$695.00 as full and final satisfaction of her Application for Dispute Resolution filed September 13, 2016 and amended October 18, 2016.
2. All other claims arising out of the tenancy are hereby dismissed as if tried on their merits.

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: December 22, 2016

Residential Tenancy Branch