



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNSD, FF

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution (the “Application”) made by the Landlords on July 10, 2016 for a Monetary Order for: damage to the rental unit; to keep the Tenants’ security and pet damage deposits; and to recover the filing fee from the Tenants.

The Landlords and one of the Tenants who also appeared to represent the remainder Tenants named on the Application, appeared for the hearing and provided affirmed testimony. The parties confirmed service of each other’s Application and documentary evidence served prior to the hearing.

The hearing process was explained to the parties and they had no questions about the proceedings. Both parties were given a full opportunity to present their evidence, make submissions to me, and cross examine the other party on the evidence that was before me.

Section 63 of the *Residential Tenancy Act* allows an Arbitrator to 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.

After the parties had finished presenting their evidence, I offered the parties an opportunity to settle the dispute by mutual agreement. I informed the parties that they should attempt to turn their minds to compromise and resolution because an agreement between the parties may be better resolution than a decision forced onto them. The parties considered this form of resolution and agreed to engage in a conversation in an effort to move forward to resolution with my assistance.

As a result, the parties turned their minds to compromise and were able to reach a resolution to their dispute as follows.

Settlement Agreement

The parties agreed that the Landlord can keep \$1,433.00 of Tenants' security and pet damage deposits in full and final satisfaction of the Landlords' Application.

Accordingly, the Landlords are to return the remaining balance of the Tenants' security and pet damage deposits in the amount of \$317.00 forthwith.

The Tenants are issued with a Monetary Order for this amount which is enforceable in the Small Claims Division of the Provincial court **if** the Landlords fail to make payment. The Landlords are cautioned to retain documentary evidence of the return amount paid to the Tenants.

This agreement and order is fully binding on the parties and is in full satisfaction of this tenancy. The parties confirmed their voluntary agreement and understanding to resolution in this manner both during and at the end of the hearing. This file is now closed.

This Decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: January 12, 2017

Residential Tenancy Branch