



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, OPT, 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*. The tenant also applied for an order of possession and for the recovery of 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

Is the tenant entitled to compensation? Is the tenant entitled to an order of possession?

Background and Evidence

The tenancy started in September 2016 and ended in January 2017. The rent was \$450.00 and did not include utilities. The tenant rented a pad on the landlord's property.

Both parties agreed that on or about January 06, 2017, the landlord informed the tenant that she was required to pay an outstanding electricity bill. The tenant agreed that her propane ran out and that she heated the rental unit with electric heaters. The tenant stated that she went away on January 07, leaving her cat inside the mobile home and returned on January 24, 2017. The tenant stated that the landlord moved the mobile home shortly after and some of her belongings that were left outside went missing.

During the hearing, the reasons for the tenant's application for dispute resolution and possible solutions were discussed at length. During this discussion the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

During this hearing, the parties reached an agreement to settle their dispute under the following terms.

- The landlord agreed to pay the tenant compensation in the amount of \$300.00 in full and final settlement of all claims against the tenant.
- The tenant agreed to accept compensation in the amount of \$300.00 in full and final settlement of all claims against the landlord. A monetary order will be granted to the tenant.
- The landlord agreed to install the driveshaft on the tenant's mobile home. By mutual agreement, this work will be done on February 25, 2017 at 12:00 noon.
- Both parties acknowledged that they understood and agreed with the above terms of their agreement.

The tenant and the landlord have reached a settled agreement, as recorded above. This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

Conclusion

Pursuant to the above agreement I grant the tenant a monetary order in the amount of **\$300.00**.

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: February 22, 2017

Residential Tenancy Branch

