



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDC, O, OLC (Tenant's Application)  
                             MND, MNDC, FF (Landlord's Application)

### Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution (the "Application") made by the Tenant on February 23, 2017 and by the Landlord on June 20, 2017.

The Tenant applied for: money owed or compensation for damage or loss under the *Residential Tenancy Act* (the "Act"), regulation or tenancy agreement; for "other" issues; and for the Landlord to comply with the Act, regulation or tenancy agreement.

The Landlord applied for a Monetary Order for: damage to the rental unit; money owed or compensation for damage or loss under the Act, regulation or tenancy agreement; and to recover the filing fee from the Tenant.

Both parties appeared for the hearing and provided affirmed testimony. The parties confirmed receipt of each other's Application and evidence which was submitted 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 provided.

The parties confirmed during the tenancy that they both wanted to deal with the issue of the Tenant's security deposit in this hearing. Therefore, pursuant to my authority under Section 64(3) (c) of the Act, I amended both Applications and dealt with the security deposit in this hearing.

Over the course of the two hour hearing, the parties provided testimony and evidence in relation to their monetary claims as laid out in their Monetary Order Worksheets.

Section 63 of the 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.

As a result, at the end of the hearing, I offered the parties an opportunity to settle both Applications in full and final satisfaction by way of mutual agreement. The parties discussed the issues between them, turned their minds to compromise, and with my assistance were able to achieve a resolution of the dispute through a settlement agreement.

#### Settlement Agreement

The parties agreed that while they both would be eligible for portions of their monetary claim, the amounts would likely result in being offset with each other and result in no net exchange of monies. As a result, the parties agreed to withdraw their Applications in full and final satisfaction of this dispute and no further action or exchange of monies is now needed.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and the parties understood the full nature of resolution in this manner. Both files are 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: July 26, 2017

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Residential Tenancy Branch