



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

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

Introduction

This hearing took place in response to an Application for Dispute Resolution (the "Application") made by both the Landlord and the Tenant. Both Applications were scheduled to be heard together in this hearing.

The Landlord applied for a Monetary Order for: damage to the rental unit; to keep the Tenant's security deposit; and to recover the filing fee.

The Tenant applied for the Landlord to comply with the *Residential Tenancy Act* (the "Act"), regulation or tenancy agreement and for the return of the security deposit.

The Tenant, the Landlord, and the Landlord's daughter appeared for the hearing. Only the Landlord and Tenant provided affirmed testimony and the Landlord's daughter assisted the Landlord during the hearing.

Both parties confirmed service of each other's Application and evidence served prior to the hearing. The hearing process was explained to the parties and no questions were raised. The parties were given a full opportunity to give oral testimony, make submissions to me, and cross examine the other party on the evidence provided.

Section 63 of the Act enables 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.

Therefore, at the end of the hearing, the parties were offered an opportunity to settle the matter between them before I reserved my findings to a written decision on the matters before me. The parties considered this offer, turned their minds to compromise, and with my assistance were able to reach a mutual agreement.

Settlement Agreement

Both parties agreed to settle both Applications in full and final satisfaction of all the issues associated with this tenancy. The parties agreed that the Landlord will return to the Tenants a total amount of \$392.90. This payment will be made by the Landlord on or before October 31, 2017.

The Tenant is issued with a Monetary Order for this amount which is enforceable in the Small Claims Division of the Provincial Court **if** the Landlord fails to make payment in accordance with this agreement. Copies of this order are attached to the Tenant's copy of this Decision. The Landlord should retain documentary evidence of payment made to meet the terms of this agreement.

The parties confirmed at the end of the hearing that they had entered into this settlement agreement voluntarily and understood the full nature of the settlement agreement and its meaning. Therefore, no further Applications are permitted and 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 *Residential Tenancy Act*.

Dated: October 04, 2017

Residential Tenancy Branch