



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MNDC, FF

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution (the “Application”) made by the Landlord for a Monetary Order for: unpaid rent; for money owed or compensation for damage or loss under the *Residential Tenancy Act* (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 Tenant confirmed receipt of the Landlord’s Application. While the parties both made submissions regarding service of late evidence by the Landlord, the parties agreed to move forward with the documentary evidence served. Therefore, the parties were allowed to refer to all evidence provided during 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 on the relevant issues, and to cross examine the other party on the evidence provided.

Section 63 of the Act allows an Arbitrator to assist the parties to settle their dispute. 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.

Accordingly, at the end of the hearing, I offered the parties an opportunity to settle the matter between them or move forward with my decision in this matter based on the evidence provided before me in the hearing. The parties considered this option and decided to explore this method of resolution.

As a result, with my assistance, the parties were able to turn their minds to compromise and reached an agreement in full and final satisfaction of the Landlord's Application as follows.

Settlement Agreement

1. The Tenant agreed to pay the Landlord \$2,250.00 in full satisfaction of the Landlord's monetary claim.
2. The parties agreed the Tenant would send the Landlord a cheque for this amount to the Landlord's forwarding address (as detailed on the front page of this Decision) on or before November 3, 2017. The Landlord confirmed the address to the Tenant during the hearing.
3. The Tenant is cautioned to ensure that documentation is retained in relation to the payment made.
4. The Landlord is issued with a Monetary Order for \$2,250.00 which is enforceable in the Small Claims Division of the Provincial Court as an order of that court **if** the Tenant fails to make the payment under these agreed terms and conditions.

The parties confirmed their voluntary agreement to resolution in this manner both during and at the end of the hearing. This agreement is fully binding on the parties and was made in full and final satisfaction of the issues associated with this tenancy. Therefore, no further Applications are permitted and 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: October 19, 2017

Residential Tenancy Branch