



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, FF

Introduction

This hearing was convened by way of conference call in response to the Tenants' Application for Dispute Resolution (the "Application") for money owed or compensation for damage or loss under the *Residential Tenancy Act* (the "Act"), regulation and/or the tenancy agreement. The Tenants also applied to recover the filing fee.

In particular the Tenants had applied for compensation under Section 51 and Section 95(4) of the Act, as well as compensation for moving expenses and a move-in fee paid at the start of the tenancy.

Both parties appeared for the hearing and provided affirmed testimony. The Landlord confirmed receipt of the Application. The parties confirmed service and receipt of each other's evidence prior to the hearing. The parties confirmed that no notice to end tenancy for the Landlord's use of the property had been served in this tenancy.

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.

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.

After the hearing had concluded and the parties' had finished providing their evidence on the Tenants' monetary claim, I offered the parties an opportunity to settle the matter by mutual agreement. The parties considered this voluntary form of resolution and decided that this was the best way to proceed with the dispute.

Settlement Agreement

The Tenants withdrew their entire monetary claim against the Landlord. In return, the Landlord agreed not to pursue any monetary claim against the Tenants.

The parties confirmed that this agreement was being made in full and final satisfaction of all the issues associated with this tenancy. Therefore, no further applications are permitted and this signals the end of this dispute.

The parties confirmed their voluntary agreement and understanding of 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: November 01, 2017

Residential Tenancy Branch