



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC

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 money owed or compensation for damage or loss under the *Residential Tenancy Act* (the “Act”), regulation or tenancy agreement.

The Tenant and an agent for the Landlord appeared for the hearing. The Tenant confirmed receipt of the Landlord’s Application and the parties confirmed service and exchange of evidence 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.

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 Landlord’s monetary claim, I offered the parties an opportunity to settle the matter by mutual agreement.

The Landlord put forward a proposal to the Tenant. After some discussion between the parties and with my assistance, the parties turned their minds to compromise and were able to reach an agreement to settle the Tenant’s Application in full. The agreement was made in an effort to settle all of the issues associated with this tenancy in final satisfaction as follows.

Settlement Agreement

The Tenant agreed to pay the Landlord \$2,400.00 in monetary compensation, inclusive of the filing fee. The Landlord agreed that the Tenant would have until June 30, 2018 to pay the debt in full. In the interim time period, the Tenant is at liberty to make monthly payments of differing amounts providing the total amount is satisfied by June 30 2018. The Tenant is cautioned to retain documentary evidence to show the payment(s) made to meet the terms of this agreement.

The Landlord is issued with a Monetary Order for the agreed amount. Any outstanding amount after June 2018 may be enforced using the attached order in the Small Claims Division of the Provincial Court as an order of that court. The Tenant may also be held liable for any enforcement costs incurred by the Landlord after June 30, 2018.

The parties agreed that this agreement was made in full and final satisfaction of all the issues associated with this tenancy. Therefore, no further applications are permitted. The parties confirmed their agreement to the above conditions and also confirmed that the agreement was made voluntarily without any pressure or coercion. This Decision and order is final and legally binding. 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 08, 2017

Residential Tenancy Branch