



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD MNDC FF

Introduction

This hearing was convened as a result of the landlord's Application for Dispute Resolution ("application") under the *Residential Tenancy Act* ("Act"). The landlord applied for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement, to retain all or a part of the tenant's security deposit and/or pet damage deposit, and to recover the cost of the filing fee.

The tenant and the landlord attended the teleconference hearing. The parties gave affirmed testimony and had the hearing process explained to them.

Neither party raised any concerns regarding the service of documentary evidence.

Settlement Agreement

During the hearing, the parties agreed to settle all matters related to this tenancy, on the following conditions:

1. The parties agree that the tenant owes the landlord a total of **\$1,200.00** for the rent differential plus the filing fee and that the landlord waives the painting costs.
2. The tenant agrees to pay the landlord by e-transfer no later than **March 16, 2018 at 5:00 p.m. Pacific Time**. The landlord's email address was confirmed by the parties during the hearing.
3. The landlord is granted a monetary order pursuant to section 67 of the *Act* in the amount of **\$1,200.00**, which will be of no force or effect, if the tenant pays the landlord in accordance with #2 above and the landlord successfully deposits the full amount owing of \$1,200.00.

4. The landlord agrees to withdraw their application in full as part of this mutually settled agreement.
5. The parties agree that this mutually settled agreement represents a full and final settlement of all matters related to this tenancy.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement above.

The landlord is granted a monetary order pursuant to section 67 of the *Act* in the amount of \$1,200.00, which will be of no force or effect, if the tenant pays the landlord in accordance with #2 above. Should the landlord require enforcement of the monetary order, the monetary order must be served on the tenant and may be filed in the Provincial Court (Small Claims) and enforced as an order of that court.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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: March 1, 2018

Residential Tenancy Branch