



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding MANSION REALTY INC. (AGENT)
and [tenant name suppressed to protect privacy]

DECISION AND RECORD OF SETTLEMENT

Dispute Codes MNDC MNSD MND FF

Introduction

Both parties attended the conference call hearing under the *Residential Tenancy Act* (the Act)

The landlord's application sought compensation for costs and recovery of their filing fee. The tenant acknowledged receiving the landlord's application and their evidence. The tenant made application for the return of their deposit recovery of their filing fee. They testified sending the landlord their application by registered mail. The landlord testified they did not receive the tenant's application and the tenant was unable to advance proof of mail registration. The landlord also denied receiving any of the tenant's evidence and this proceeding did not receive portions of both applications. I proposed to the parties that it would be appropriate for me to adjourn their matters so as to allow each of them to resubmit their total evidence. However, following some discussion the parties agreed to resolve their dispute.

Background and Evidence

Section 63 of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, some discussion between the parties led to resolution of this matter. As a result the parties confirmed to me **that they both agreed as follows;**

1. That the landlord will provide the tenant with **\$\$495.06** as full and in final satisfaction of all matters respecting both of the parties' applications in this matter.

Both parties testified in the hearing confirming to me that they understood and agreed to the above terms, and that the settlement particulars comprise the full and final settlement of all aspects of their applications.

So as to perfect this agreement,

I grant the tenant a Monetary Order under Section 67 of the Act in the amount of **\$495.06**. If the landlord does not satisfy this Order it may be filed in the Small Claims Court and enforced as an Order of that Court.

Conclusion

The parties settled their disputes in the above terms.

This Decision and settlement are final and binding.

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: April 09, 2018

Residential Tenancy Branch