



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MND MNDC MNSD FF

### Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- authorization to retain all or a portion of the tenant's security deposit in partial satisfaction of the monetary order requested pursuant to section 38;
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

All named parties attended the hearing. During the hearing, the parties expressed an interest and were successful in resolving this dispute by mutual agreement.

### Terms of Settlement

Pursuant to section 63 of the Act, an arbitrator may 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.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The tenant agrees to compensate the landlord for damages including the filing fee cost of this application in the total of \$2950.00.
2. The tenant agrees the landlord may retain the \$750.00 security deposit leaving a balance of \$2200.00 owing.

3. The tenant agrees to pay to the landlord the remaining balance of \$2200.00 in 22 equal installments of \$100.00 per month payable on the 1<sup>st</sup> of every month beginning on June 1, 2018. The parties agreed that the monthly payments will be made by e-transfer to the landlord. The tenant confirmed she had the landlord's e-mail address in this hearing.
4. The landlord is granted a Monetary Order for the full arrears amount of \$2200.00 and the enforceable portion of this order will be reduced in accordance with any payments made to the landlord.
5. If the tenant fails to comply with the above payment schedule, the landlord may enforce the balance of outstanding monetary order immediately.

Each party confirmed that this agreement was reached voluntarily and that they understood the terms of the agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute.

**This Decision and Settlement Agreement is final and binding on both parties.**

#### Conclusion

Subject to the payment terms described above and pursuant to section 67 of the *Act*, I grant the landlord a Monetary Order in the amount of **\$2200.00**. Should the tenant fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order of that Court.

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: May 15, 2018

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Residential Tenancy Branch