



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDC, MNR

Introduction

This hearing dealt with the tenant's application for a Monetary Order for return of the security deposit and other damages or loss under the Act, regulations or tenancy agreement. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

At the outset of the hearing, I heard the tenant served the hearing documents, including an Amendment, and evidence to the landlord by regular mail in December 2017. Although the tenant did not serve the landlord as required under sections 59 and 89 of the Act, the landlord did not have an issue with respect to service and I deemed the landlord sufficiently served pursuant to the authority afforded me under section 71 of the Act. I noted the landlord had uploaded documents to the Residential Tenancy Branch service portal; however, I heard the landlord had not provided copies to the tenant and as a result I informed the parties that the landlord that she may provide her position orally during the hearing. The landlord was assisted by a translator during the hearing.

The tenant withdrew some of her claims against the landlord since the landlord had given the tenant a refund of the security deposit and a partial refund of rent for October 2017 after she filed. The tenant clarified that the only issue to resolve was the tenant's claim for \$2,200.00 for not receiving a valid reason and proper notice to end tenancy.

After both parties had an opportunity to be heard there was discussion concerning the requirements of the Act and the parties reached a mutual agreement in resolution of this dispute. I have recorded the mutual agreement by way of this decision and the Monetary Order that accompanies it.

Issue(s) to be Decided

What is the mutual agreement reached by the parties?

Background and Evidence

In resolution of this dispute the parties mutually agreed upon the following term(s):

1. The landlord shall pay the tenants further compensation of \$1,100.00.
2. The landlord shall send payment to the tenants via courier at the address appearing on the tenant's Application for Dispute Resolution.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record the settlement agreement in the form of a decision or order.

I have accepted and recorded the agreement reached by the parties during this hearing and I make the term(s) an Order to be binding upon both parties.

In recognition of the mutual agreement, I provide the tenants with a Monetary Order in the amount of \$1,100.00 to serve and enforce upon the landlord if necessary.

Conclusion

The parties reached a mutual agreement in resolution of this dispute that I have recorded in this decision. In recognition of the mutual agreement, the tenants are provided a Monetary Order in the amount of \$1,100.00 to serve and enforce upon the landlord if necessary.

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: July 04, 2018

Residential Tenancy Branch