



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding SAANICH PENSINSULA REALTY INC
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNSD, MNDCT, MNRT, FFT, FFL

Introduction

This proceeding dealt with monetary cross applications and was held over two dates. Both parties appeared or were represented at the hearing and had the opportunity to be make relevant submissions and to respond to the submissions of the other party pursuant to the Rules of Procedure.

During the reconvened hearing, the parties turned their minds to resolving their disputes by way of a settlement agreement. I was able to facilitate a mutual agreement between the parties and I have recorded the terms by way of this decision and the Monetary Order that accompanies it.

Issue(s) to be Decided

What are the terms of settlement?

Background and Evidence

All parties reached a full and final settlement agreement during the hearing, as follows:

1. The tenants shall be compensated \$4,300.00 for any and all damages or loss they may have suffered as a result of this tenancy, the rental unit or residential property. In addition, the landlord shall return the tenants' \$700.00 security deposit to the tenants. In recognition of this term the tenants shall be provided a Monetary Order in the total amount of \$5,000.00.
2. The landlords have a Monetary Order dated November 14, 2017 against the tenants in the amount of \$4,300.00 that had not been satisfied. The landlords are permitted to offset their Monetary Order against the tenants' Monetary Order and issue payment of the tenants for the net difference of \$700.00.

3. The terms of this settlement agreement represent a full and final settlement agreement and both parties are precluded may making any other claims in any other forum against the other party with respect to this tenancy, rental unit, or residential property.

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 agreement in the form of a decision or order.

I have accepted and recorded the settlement agreement reached by the parties during this hearing and I make the terms an Order to be binding upon both parties.

In recognition of the mutual agreement, I provide the tenants with a Monetary Order in the total amount of \$5,000.00.

Conclusion

The parties resolved their disputes by way of a settlement agreement that I have recorded in this decision. In recognition of the settlement agreement, I provide the tenants with a Monetary Order in the total amount of \$5,000.00.

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: August 24, 2018

Residential Tenancy Branch