



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ASSOCIATED PROPERTY MANAGEMENT (2001) LTD. and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDCT, MNSD, MNDCL –S, MNRL –S, FFL

Introduction

This hearing was scheduled to deal with monetary cross applications. The tenant applied for return of double the security deposit and recovery of an amount paid he paid to the landlord for “hotel fees”. The landlord applied for compensation for loss of rent, “hotel fees” incurred by the landlord; and, authorization to retain the tenant’s security deposit. Both parties appeared or were represented at the hearing.

The hearing was held over two dates and an Interim Decision was issued on January 30, 2019 and sent to both parties at the email addresses the parties put forth to me.

At the reconvened hearing, a different agent appeared on behalf of the landlord and stated she was not privy to the Interim Decision sent to the agent appearing at the first hearing. I summarized and read from the most relevant portions of the Interim Decision for the benefit of the landlord’s agent. The agent appearing on March 19, 2019 also confirmed that the other agent no longer works for the landlord but that she had conveyed the information to her as to what took place during the first hearing session.

I proceeded to resume hearing from the landlord’s agent with respect to the tenant’s claims. I also heard from both parties with respect to the landlord’s claims.

After considerable discussion concerning the parties’ respective rights and obligations under the Act, the parties turned their minds to resolving these disputes by way of a settlement agreement. A settlement agreement was reached and I have recorded the settlement agreement by way of this decision and the order that accompanies it.

Issue(s) to be Decided

What are the term(s) of settlement?

Background and Evidence

The parties agreed upon the following term(s) in full and final settlement of any and all claims related to this tenancy:

1. The landlord shall pay to the tenant the sum of \$368.00.

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 mutual 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 tenant with a Monetary Order in the amount of \$368.00 to serve and enforce upon the landlord.

Conclusion

The parties reached a full and final settlement agreement during the hearing. In recognition of the settlement agreement, I provide the tenant with a Monetary Order in the amount of \$368.00.

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: March 19, 2019

Residential Tenancy Branch