



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding SKYLINE LIVING  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNRL-S, OPR, FFL

### Introduction

This hearing was convened as a result of the Landlord's Application for dispute resolution under the *Residential Tenancy Act* (the "*Act*"). The Landlord applied for the following relief under the *Act*,

- a monetary order for unpaid rent or utilities;
- an order granting authorization to retain the security deposit;
- an order of possession for unpaid rent; and
- an order granting recovery of the filing fee.

S.H. and R.S. attended the hearing for the Landlord. The Tenant and the Tenant's Advocate T.M. appeared as well. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement. I indicated on several occasions that if either party did not wish to resolve this matter through a mutually agreed settlement, I was prepared to hear their evidence and make a decision.

The parties testified and agreed that the tenancy is now over; therefore, the Landlord is no longer seeking an order of possession. During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The parties agreed that the Landlord can retain the Tenants' security deposit in the amount of \$1,370.00, in partial satisfaction of their claim.

2. The parties agreed that the Tenants are to pay the Landlord in the amount of \$2,400.00 for unpaid rent, no later than April 30, 2019.
3. The parties agreed that the Landlord withdraws their Application in full as part of this mutually agreed settlement.

This settlement agreement was reached in accordance with section 63 of the *Act*.

### Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

The Landlord is granted a monetary order in the amount of \$2,400.00. This order must be served on the Tenant as soon as possible. If the Tenant fails to comply the monetary order it may be filed in and enforced as an order of the Provincial Court of British Columbia (Small Claims).

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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 1, 2019

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**Residential Tenancy Branch**