



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNSD, FF

Preliminary matter

At the start of the hearing the Tenant agreed her evidence was not submitted within the time guidelines of the rules of procedure for the Dispute Resolution process. The Landlord said he had not received the Tenant's evidence and therefore did not have an opportunity to review the evidence. As a result of the Tenant's evidence being submitted late and the Landlord not being able to review the evidence, I find the Tenant's evidence is not admissible to the hearing. The Tenant was told she could present her evidence at the hearing though her testimony.

Introduction

This matter dealt with an application by the Landlord for a Monetary Order for lost rental income, for compensation for loss or damage under the Act, regulations or tenancy agreement, to retain the Tenant's security and pet deposits and to recover the filing fee for this proceeding.

The Landlord said he served the Tenant with the Application and Notice of Hearing (the "hearing package") by registered mail on March 21, 2019. Based on the evidence of the Landlord, I find that the Tenant was served with the Landlords' hearing package as required by s. 89 of the Act and the hearing proceeded with both parties in attendance.

During the course of the hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. the Tenant agreed the Landlord could retain her security deposit of \$1,125.00 and her pet deposit of \$500.00 as well the Tenant agreed to pay the Landlord \$750.00 as full compensation of the Landlord's application for lost rental income, lock replacement and the filing fee.
2. the Landlord accepted the Tenant's compensation as full settlement of the Landlord's application.
3. the Landlord will receive a Monetary Order in the amount of \$750.00 to support this settlement agreement.

Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 of the Act the Landlord and the Tenant agreed to the above arrangement.

As no further action is required on this file, the file is closed.

Conclusion

A Monetary Order in the amount of \$750.00 has been issued to the Landlord. A copy of the Order must be served on the Tenant: the Monetary Order may be enforced in the Provincial (Small Claims) Court of British Columbia.

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: April 29, 2019

Residential Tenancy Branch