



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPM, MNDL-S, MNRL-S, FFL

Introduction

This hearing was convened as a result of the landlords' Application for Dispute Resolution ("application") seeking remedy under the *Residential Tenancy Act* ("Act"). The landlords applied for an order of possession based on a signed Mutual Agreement to End Tenancy, for a monetary claim of \$1,650.00 for unpaid rent or utilities, for damages to the unit, site or property, to retain the tenants' security deposit and/or pet damage deposit, and to recover the cost of the filing fee.

Tenant LD ("tenant") and landlord agent ME ("agent") attended the teleconference hearing. 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.

Neither party raised any concerns about the service of documentary evidence.

Preliminary and Procedural Matter

The parties provided their email addresses at the outset of the hearing which were confirmed by the undersigned arbitrator. The parties confirmed their understanding that the decision would be emailed to both parties and that the monetary order would only be emailed to the landlords for service on the tenants, if necessary.

Settlement Agreement

During the hearing, the parties agreed to settle these matters on the following conditions:

1. The parties agree that the tenants owe the landlords **\$670.00** as of the date of this hearing and have surrendered 2 car covers to the landlords as part of this mutually settled agreement.
2. The parties agree that the \$670.00 amount will be paid by the tenants to the landlords in three installments of \$223.33 as follows:
 - A. May 23, 2019
 - B. June 6, 2019
 - C. June 17, 2019

The parties agree that all payments will be made by e-transfer which is consistent with how other payments were made by the tenants to the landlords during the tenancy.

3. The landlords are granted a monetary order pursuant to section 67 of the *Act* in the amount of \$670.00, which will be of no force or effect if the tenants comply with #2 above and the landlords successfully receive the full amount of \$670.00 owing by the tenants to the landlords as noted above.
4. The landlords agree to withdraw their application in full as part of this mutually settled agreement.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the binding nature of this full and final settlement of these matters.

Conclusion

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

The landlords have been granted a monetary order in the amount of \$670.00. Should the landlords require enforcement of this order it must be served on the tenants and the monetary order may be filed in the Provincial Court (Small Claims) and enforced as an order of that court.

The parties confirmed their understanding that while they voluntarily formed this mutual agreement that the agreement is final and binding under the *Act*.

This decision will be emailed to both parties. The landlords will also receive the monetary order by email.

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: May 10, 2019

Residential Tenancy Branch