



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNRL-S, FFL

Introduction

This hearing was convened as a result of the landlord's Application for Dispute Resolution ("application") seeking remedy under the *Residential Tenancy Act* ("Act"). The landlord applied for a monetary claim of \$1,700.00 for unpaid rent or utilities, and to recover the cost of the filing fee.

The tenants and the landlord attended the teleconference hearing, which began on May 14, 2019. After 25 minutes, the hearing was adjourned to allow time for the landlord to receive the tenants' documentary evidence, which was waiting for the landlord at the post office. As a result, an Interim Decision dated May 15, 2019, which should be read in conjunction with this decision. On this date, July 2, 2019, the hearing continued and after 34 additional minutes, this matter was resolved by way of a mutually settled agreement, which will be discussed further below.

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.

Preliminary and Procedural Matter

The parties confirmed their email addresses at the outset of the hearing. 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 landlord for service on the tenants, if necessary.

Settlement Agreement

During the hearing, the parties agreed to settle all matters related to this tenancy on the following conditions:

1. The parties agree that the tenants owe the landlord a total of \$1,800.00, less the \$850.00 security deposit, which the landlord will retain in full effective immediately.
2. The parties agree that the remaining \$950.00 amount owing by the tenants to the landlord will be paid in 2 installments of \$475.00 by e-transfer as follows:
 - A. July 15, 2019 by 5:00 p.m.
 - B. August 15, 2019, by 5:00 p.m.The parties confirmed the landlord's email address during the hearing for the purposes of the e-transfer payment. The landlord's email address has been included on the cover page of this decision for ease of reference.
3. The landlord is granted a monetary order pursuant to section 67 of the *Act* in the amount of \$950.00, which will be of no force or effect if the tenants comply with #2 above and the landlord successfully deposits the full amount of \$950.00 owing by the tenants to the landlord.
4. The parties agree that this mutually settled agreement represents a full and final settlement of all matters related to this tenancy.

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 landlord has been granted a monetary order in the amount of \$950.00. Should the landlord 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 landlord will also receive the monetary order by email, for service on the tenants, if necessary.

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: July 2, 2019

Residential Tenancy Branch