



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **FFL MNDCL MNRL**

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- Authorization to recover the filing fees from the tenant pursuant to section 72;
- A monetary order for damages or compensation pursuant to section 67; and
- A monetary order for rent and/or utilities pursuant to section 67.

The landlord and the tenant appeared for the scheduled hearing. The tenant confirmed that he received the landlord's notice of hearing package. No documentary evidence was submitted by the tenant. The tenant denies receiving the landlord's evidence but acknowledges he had not provided her with his notice of forwarding address until July 12, 2019 by text message. I deem the evidence was sufficiently served for the purposes of this Act in accordance with section 71.

Settlement reached

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, turned their minds to compromise and achieved a resolution of their dispute. Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

1. In full and final settlement of the landlord's claim, the tenant agrees to allow the landlord to retain his full security deposit in the amount of \$200.00.
2. The tenant agrees to pay the landlord \$50.00 representing one half the filing fee paid by the landlord for this application.

Both parties testified that they understood and agreed to the above terms, free of any duress or coercion. Both parties testified that they understood and agreed that the

above terms are legal, final, binding and enforceable, which settle all aspects of this dispute.

Conclusion

In order to implement the above settlement reached between the parties and as discussed with them at the hearing, I issue a monetary Order in the landlord's favour in the amount of \$50.00. The landlord is provided with this Order in the above terms and the tenant must be served with **this Order** as soon as possible. Should the tenant fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order of that Court.

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: August 01, 2019

Residential Tenancy Branch