



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT

Introduction

This Review Hearing was convened by way of conference call this date concerning an application made by the tenant seeking a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement.

The original hearing was held on February 28, 2019 and my Decision dated March 7, 2019 was provided to the parties, which granted a monetary order in favour of the tenant. The landlord applied for a Review pursuant to Section 79 of the *Residential Tenancy Act*, and this Review Hearing was ordered on April 9, 2019. The Review Consideration Decision states that the Review Hearing is limited to the issue of quantum.

The landlord and the tenant attended the Review Hearing, as well as a witness for the landlord, and each gave affirmed testimony. The parties were given the opportunity to question each other and the witness and to give submissions.

During the course of the hearing the parties agreed that the monetary order should be varied to \$2,500.00 in full satisfaction of any and all claims between the parties under the *Residential Tenancy Act* with respect to this tenancy.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

The *Residential Tenancy Act* specifies that following a Review Hearing I may confirm, vary or set aside the original order. Since the parties have agreed, I vary the original order and I cancel the previous monetary order made on March 7, 2019 after the February 28, 2019 hearing, and I grant a monetary order in favour of the tenant as

against the landlord in the amount of \$2,500.00 in full satisfaction of any and all claims by the parties under the *Residential Tenancy Act* with respect to this tenancy.

Conclusion

For the reasons set out above, I hereby cancel the monetary order made in favour of the tenant after the February 28, 2019 hearing, which is dated March 7, 2019.

I hereby grant a monetary order in favour of the tenant as against the landlord pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$2,500.00 in full satisfaction of any and all claims by the parties under the *Residential Tenancy Act* with respect to this tenancy.

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: November 19, 2019

Residential Tenancy Branch