



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDCL, 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* (the Act). The landlord applied for a monetary claim of \$14,489.00 for unpaid rent/loss of rent and to recover the cost of the filing fee.

Two landlord agents WL and JK (agents) and the tenant 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.

The tenant confirmed that they had received and had the opportunity to review documentary evidence from the landlord. The tenant also confirmed that they did not serve any documentary evidence on the landlord. As a result, I find the tenant was sufficiently served under the Act.

### 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 landlord for service on the tenant as necessary.

### Issues to be Decided

- Are the landlords entitled to a monetary order under the Act?
- Are the landlords entitled to the recovery of the cost of the filing fee under the Act?

Settlement Agreement

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

1. The parties agree that the tenants owe \$14,489.00, which includes the filing fee and that the tenant surrenders their remaining \$2,800.00 security deposit towards the amount owing for a balance owing by the tenant to the landlords in the amount of **\$11,689.00.**
2. The landlord is granted a monetary order in the amount of \$11,689.00 pursuant to section 67 of the Act, which must be served on the tenant by the landlords.

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, pursuant to section 62 of the Act.

The landlord has been granted a monetary order in the amount of \$11,689.00. Should the landlord require enforcement of this order, it must be first served on the tenant by the landlord and 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 monetary order will be emailed to the landlords for service on the tenant, if necessary.

A link to *Ministerial Order M089* which impacts person service during the current State of Emergency can be found at:

[http://www.bclaws.ca/civix/document/id/mo/mo/2020\\_m089](http://www.bclaws.ca/civix/document/id/mo/mo/2020_m089)

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 5, 2020

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Residential Tenancy Branch