



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD FFT

Introduction

This hearing was convened as a result of the tenants' Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (the Act). The tenants applied for a monetary claim of \$1,850.00 for double the return of their security deposit and to recover the cost of the filing fee.

The landlords and the tenants 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 parties confirmed that they had received and had the opportunity to review documentary evidence from the other party. As a result, I find the parties were sufficiently served under the Act.

Preliminary and Procedural Matter

The parties provided and 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 tenants and should not be served unless necessary on the landlords.

Issues to be Decided

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

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 landlords will return **\$925.00** to the tenants by **June 2, 2020 at 5:00 p.m.** Pacific Time by e-transfer. The tenants' email address for the e-transfer was confirmed by the landlords during the hearing.
2. The parties agree that the landlords surrender their rights to make a claim under the Act as part of this mutually settled agreement.
3. The parties agree that this mutually settled agreement represents a full and final settlement of all matters related to this tenancy.
4. The tenants withdraw their application in full as part of this mutually settled agreement.
5. The tenants are granted a monetary order pursuant to section 67 of the Act in the amount of \$925.00, **which will be of no force or effect if the landlords pay the tenants in accordance with #1 above in full.**

This settlement agreement was reached in accordance with section 63 of the 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 63 of the Act.

The tenants have been granted a monetary order in the amount of \$925.00. Should the tenants require enforcement of this order, it must be first served on the landlords by the tenants 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 tenants only for service on the landlords, if necessary.

The filing fee was incorporated into the negotiated amount described above.

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: June 1, 2020

Residential Tenancy Branch