



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR MNSD

Introduction

This hearing was convened as a result of the Landlord's Application for Dispute Resolution. A participatory hearing was held on November 9, 2020. The Landlord applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- a monetary order for unpaid rent;
- authorization to retain the security deposit to offset the amount owed; and,
- to recover the filing fee from the tenants for the cost of this application.

The Landlord and the Tenant both attended the hearing and provided testimony.

Settlement Agreement

During the hearing, the Landlords agreed to withdraw their application, in full, in pursuit of the settlement agreement listed below. The Tenant also agreed to the following terms as full and final settlement of all damage and compensation related to the tenancy at the rental unit, and how to manage the deposit held by the Landlord.

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.

Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a decision:

- The landlords will retain the security deposit (\$900.00) in full.

- The Landlords withdraw their application, in full.
- In addition to the above noted deposit, the Tenant will pay the Landlord \$1,800.00.
- Both parties agree that all monetary issues between the parties with respect to the tenancy are settled in full.

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.

Conclusion

The Landlord is granted a monetary order pursuant to Section 67 in the amount of **\$1,800.00**. This order must be served on the Tenant. If the Tenant fails to comply with this order the Landlord may file the order in the Provincial Court (Small Claims) and be enforced as an order of that Court.

This Order **must** be read in conjunction with the above mutual settlement agreement and the Landlord **must not** seek to enforce this Order on the Tenant, unless the Tenant fails to meet the conditions of the payment plan.

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 09, 2020

Residential Tenancy Branch