



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes**

Landlord: MNR MND MNSD FF  
Tenant: MNDC MNETC MNSD FF

### **Introduction**

This hearing was convened as a result of the Landlord's Application for Dispute Resolution. A hearing by telephone conference was held on January 5, 2021. The Landlord applied for multiple remedies, pursuant to the *Residential Tenancy Act* (the *Act*).

Both sides were present at the hearing. All parties provided testimony and were given a full opportunity to be heard, to present evidence and to make submissions.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

### **Preliminary Matters**

During the hearing, the Tenants stated that they tried to make a cross application for this hearing as they had their own issues they wanted to apply for. The Tenants stated that they did not apply in time and they currently have a future hearing, in addition to this hearing.

During the hearing, both parties agreed to hear all issues with respect to the tenancy at this hearing, and to settle everything, in full, as part of this application. I hereby order the Tenants' application and hearing scheduled for April 20, 2021, is to be heard as part of today's proceeding, as laid out below.

### Settlement Agreement

During the hearing, a mutual agreement was discussed and both parties agreed to withdraw their applications, in full, as long as the other party dropped their monetary claim.

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 Landlord withdraws his application in full.
- The Tenants withdraw their application in full.
- The Landlord will pay the Tenants \$2,775.00, forthwith
  - This amount is comprised of the one month's rent (\$1,850.00) they are owed after receiving the 2 Month Notice in July 2020 as well as the return of their security deposit of \$925.00.
- The Landlord and the Tenants both agree that this mutual agreement settles all issues, monetary and otherwise, with respect to the tenancy, in full.
- Both parties agree to not file any further applications for monetary compensation.
- These terms comprise the full and final settlement of all aspects of this dispute for both parties.

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 all aspects of this tenancy.

### Conclusion

Both parties withdraw their applications, in full, in pursuit of this settlement agreement.

In support of the agreement described above, the Tenants are granted a monetary order pursuant to Section 67 in the amount of **\$2,775.00**. This order must be served on the Landlord. If the Landlord fails to comply with this order the Tenants may file the order in the Provincial Court (Small Claims) and be 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: January 05, 2021

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Residential Tenancy Branch