



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      Tenant: CNL OLC FF  
Landlord: OPL FF

### Introduction

This hearing dealt with cross Applications for Dispute Resolution filed by the parties. The participatory hearing was held, via teleconference, on February 12, 2021.

The Landlords and the Tenant both attended the hearing. All parties provided testimony.

### Settlement Agreement

During the hearing, a mutual agreement was discussed and both parties agreed to withdraw their applications, in pursuit of the following settlement agreement.

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 Tenant withdraws her application, in full.
- The Landlords withdraw their application, in full.
- The parties agree that the tenancy ended on February 11, 2021, which is when the Tenant emptied her belongings out of the rental unit, returned the keys, and vacated the rental unit.
- Since the tenancy has already ended, and the Tenant has vacated her belongings and returned the keys, the Landlord no longer requires an order of possession. In accordance with this agreement, the Landlord may enter and

reclaim the space, but it was recommended for them to wait until they received this settlement agreement in writing.

- Both parties agreed to amend this application to deal with the security and pet deposits.
- The Landlords agree to return the security deposit and pet deposit, forthwith, totalling \$850.00, and they confirmed that they will not pursue further monetary damages resulting from the tenancy.
- 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 this matter.

### Conclusion

The Tenant is granted a monetary order pursuant to Section 67 in the amount of **\$850.00**. This order must be served on the Landlords. If the Landlords fail to comply with this order the Tenant 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 Tenant **must not** seek to enforce this Order on the Landlords, unless the Landlords fail 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: February 12, 2021

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Residential Tenancy Branch