



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes Tenant: MNR MNDC FF
Landlord: MNR MND FF

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. A hearing by telephone conference was held on July 13, 2021. The Tenant 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 Landlord confirmed that she has her own separate application filed and a hearing is booked for October 28, 2021. The Landlord stated that her claim is for monetary compensation against the Tenant but a final decision has not yet been rendered with respect to her claim.

The Landlord's application was not set to be heard in this hearing on July 13, 2021. However, both parties agreed to hear and settle both applications in full as part of this proceeding (the Tenant's application set to be heard today on July 13, 2021, file number 910031219, as well as the Landlord's application set to be heard on October 28, 2021, file number 910025828). I hereby allow and order both applications to be heard and settled as part of this hearing as both parties clearly and explicitly consented to this.

Settlement Agreement

During the hearing, a mutual agreement was discussed and both parties agreed to withdraw their individual applications, in full, in pursuit of this 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 Landlord withdraws her application in full (set to be heard on October 28, 2021, file number 910025828).
- The Tenant withdraws her application in full (set to be heard today on July 13, 2021, file number 910031219).
- The Landlord will pay the Tenant \$2,750.00, forthwith.
- The Landlord and the Tenant both agree that this settlement agreement settles all issues, both monetary or otherwise, with respect to the tenancy for both parties, in full.
- Neither party will file any further applications for dispute resolution with respect to this 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 all aspects of this tenancy.

Conclusion

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

In support of the agreement described above, the Tenant is granted a monetary order pursuant to Section 67 in the amount of **\$2,750.00**. 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: July 13, 2021

Residential Tenancy Branch