Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

RECORD OF SETTLEMENT

Dispute Codes   CNC, FFT, OLC, MNDCT, AS, MNRT

Section 63 of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution. Specifically, it was agreed as follows;

1. Both parties agree that the tenants will move out by no later than 1:00 p.m. on October 31, 2021,
2. Both parties agree that the landlord will return half of the $1200.00 deposit to the tenants in the amount of $600.00; and
3. Both parties agree that neither party will pursue any future monetary claims regarding this tenancy through the Branch.

Pursuant to this agreement the landlord will be given an order of possession to reflect condition #1 of this agreement. Should it be necessary, this order may be filed in the Supreme Court and enforced as an order of that Court.

Pursuant to this agreement the tenants will be given a monetary order to reflect condition #2 of this agreement. Should it be necessary, this order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

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.

The filing fee is a discretionary award usually issued by an Arbitrator after a party is fully successful after a full hearing on the merits of the application. As I was not required to make a decision regarding this application and both parties agreed to voluntarily settle this matter, I decline to award the recovery of the filing fee either party.

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: October 05, 2021

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Residential Tenancy Branch