



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 1168370 BC Ltd. dba Gold Panner
Campground and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNRL, MNDCL, FFL

Introduction

This hearing was set to deal with a landlord's application for a Monetary Order for unpaid rent of \$3900.00 plus recovery of the filing fee.

Both the landlord's agents and the tenant appeared for the hearing. The parties were affirmed. Both parties had the opportunity to make relevant submissions and to respond to the submissions of the other party pursuant to the Rules of Procedure.

The tenant confirmed receipt of the landlord's proceeding package and evidence. The tenant confirmed she did not submit any documentation for this proceeding.

The tenant requested an adjournment so that she may have the opportunity to retrieve her documents from storage located in another province and gather witnesses' statements. Upon enquiry, the tenant stated that the documents have been in storage since October 2019 and she had been to the town where the storage is located in December 2021 but that she did not retrieve the documents then. Considering the tenant has been put on notice of this proceeding since July 2021 and attended the town where the documents are stored since then, I declined to grant an adjournment as I was of the view the tenant had opportunity to retrieve the documents she may have intended to rely upon and to obtain witness statements, had she exercised due diligence. I did inform the tenant that if I determined it necessary to see further evidence so as to make a decision I would re-consider an adjournment.

I proceeded to explain the hearing process to the parties and hear from them. During the hearing, the parties turned their minds to entering into a full and final settlement agreement. The parties reached a settlement agreement and I have recorded it by way of this decision and the Monetary Order that accompanies it.

Issue(s) to be Decided

What are the terms of settlement?

Background and Evidence

The parties reached a settlement agreement in **full and final** satisfaction of any and all claims the parties may have against each other with respect to this tenancy, as follows:

1. The tenant shall pay the landlord the sum of \$1965.82.

In reaching the above agreement, the parties took into consideration the monthly rent that was agreed upon and the tenant's restricted use of a portion of the rental unit. The parties entered into the settlement agreement with a view to avoiding future dispute resolution proceedings and to achieve finality in their claims against each other.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record the agreement in the form of a decision or order.

I have accepted and recorded the settlement agreement reached by the parties during this hearing and I make the term an Order to be binding upon both parties.

In recognition of the settlement agreement, I provide the landlord with a Monetary Order in the amount of \$1965.82.

I further order that both parties are now precluded from filing any other Application for Dispute Resolution against the other party.

Conclusion

The parties reached a full and final settlement agreement during the hearing that I have recorded in this decision. In recognition of the settlement agreement, I provide the landlord with a Monetary Order in the amount of \$1965.82 to serve and enforce upon the tenant.

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 21, 2022

Residential Tenancy Branch