



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **MNRL-S, FFL**

Introduction

This hearing dealt with an application by the landlord under the *Residential Tenancy Act* (the *Act*) for the following:

- A monetary order for unpaid rent and for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* ("*Regulation*") or tenancy agreement pursuant to section 67 of the *Act*;
- Authorization to retain all or a portion of the tenant's security deposit in partial satisfaction of the monetary order requested pursuant to section 72 of the *Act*;
- Authorization to recover the filing fee for this application pursuant to section 72.

Attendance

The landlord and the tenant attended. Both parties had opportunity to provide affirmed testimony, present evidence and make submissions. I explained the hearing process. Neither party made any adjournment or accommodation requests. The hearing lasted 64 minutes.

Each party confirmed they were not recording the hearing.

Each party provided their address to which the Decision shall be sent.

Witnesses

Each party stated they intended to call witnesses who would be requested to join the hearing after they provided testimony.

Service

No issues of service were raised. I find service of documents complied with the Act.

Settlement

I explained the settlement process, and the potential outcomes and consequences, to both parties.

I informed both parties that I could not provide legal advice to them. I notified them that they could hire lawyers to obtain legal advice. I informed them that they could consult the Act, Regulation, Policy Guidelines and Rules of Procedures on the RTB public website or speak to Information Officers at the RTB. I notified them that they could settle their tenancy issues privately or at an RTB hearing.

Both parties had an opportunity to ask questions, which I answered.

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision or an Order.

Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute. This settlement agreement was reached in accordance with section 63.

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 parties agreed as follows:

- 1) The tenant shall pay \$100.00 to the landlord and the landlord shall retain the security deposit of \$470.00.
- 2) This agreement constitutes full and final settlement of this application.

The parties fully discussed this settlement. Each party stated they understood and agreed with the terms.

To give effect to this settlement agreement, I grant the landlord a Monetary Order in the amount of \$100.00.

Based on the above, I find that all matters between these parties raised in this application are resolved pursuant to the above agreed terms.

Conclusion

The application is settled on the above terms.

Pursuant to the terms of the settlement, I grant a Monetary Order of \$100.00 to the landlord.

This Order must be served on the tenant. This Order may be filed in the Courts of the Province of British Columbia and 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: May 06, 2022

Residential Tenancy Branch