



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT OLC LRE FFT

Introduction

This hearing was convened as a result of the tenants' Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (Act). The tenants applied for a monetary claim of \$1,428.76 for compensation for monetary loss or other money owed, for an order directing the landlord to comply with the Act, regulation or tenancy agreement, for an order to suspend or set limits on the landlord's right to enter the rental unit or site, and to recover the cost of the filing fee.

The tenant, the landlord and an agent for the landlord, MB (agent) attended the teleconference hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing and make submissions to me. Words utilizing the singular shall also include the plural and vice versa where the context requires.

Settlement Agreement

During the hearing, the parties agreed to settle these matters, on the following conditions:

1. The parties agree that the landlord will pay the tenants **\$759.05** with respect to overpaid utilities.
2. The tenants withdraw their application in full as part of this mutually settled agreement.
3. The tenants are granted a monetary order in the amount of \$759.05, which the tenants agree will only be enforced if the landlord fails to pay the amount owing of \$759.05 by **November 7, 2022**.

4. The parties acknowledge that this mutually settled agreement does not resolve any issues related to the security deposit or pet damage deposit, which were not part of this agreement.

This settlement agreement was reached in accordance with section 63 of the Act.

Conclusion

Pursuant to section 62(3) of the Act, I ORDER the parties to comply with the terms of their mutually settled agreement described above.

The tenants have been granted a monetary order in the amount of \$759.05, which will not be enforced unless the landlord fails to pay that amount by November 7, 2022. If the landlord does not pay the amount as described above, this order must be served on the landlord by the tenants. The tenants may then file the monetary order and demand for payment letter in the Provincial Court (Small Claims) to be enforced as an order of that court, if necessary.

This Decision will be emailed to both parties at the email addresses confirmed during the hearing.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: November 4, 2022

Residential Tenancy Branch