



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNRL – S, MNDL – S, FFL

Introduction

This hearing was scheduled to deal with a landlord's application for compensation for unpaid rent and damage to the rental unit; and, authorization to retain the tenant's security deposit.

Both the landlord's agent and the tenant appeared for the hearing.

At the outset of the hearing, I explored service of hearing materials and evidence upon each other. I determined there were issues with respect to service and I explored adjourning the matter to rectify service issues. However, before the teleconference call ended, I enquired with the parties as to whether they had an appetite to explore resolution by way of a settlement agreement.

The parties turned their minds to settlement and I was able to facilitate a settlement agreement during the hearing. I record the parties' settlement agreement by way of this decision and the order that accompanies it.

Issue(s) to be Decided

What are the terms of settlement?

Background and Evidence

During the hearing the parties mutually agreed to the following terms in full and final settlement of any and all claims the parties may have against each other with respect to this tenancy:

1. The landlord shall retain the tenant's \$1200.00 security deposit.
2. The tenant shall pay \$450.00 to the landlord's agent, via e-transfer, within two days of receiving this decision.
3. The landlord shall be provided a Monetary Order in the sum of \$450.00 to ensure payment is made by the tenant.
4. Both parties are now precluded from making any other claim against the other party with respect to this tenancy.

The parties requested this decision be sent to them by email and the parties confirmed I have their correct email addresses.

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(s) an Order of mine to be binding upon both parties.

In recognition of the settlement agreement, I provide the landlords with a Monetary Order in the sum of \$450.00 to ensure payment is made.

Conclusion

The parties reached a full and final settlement agreement during the hearing that I have recorded in this decision and by way of the Monetary Order that accompanies this decision. In recognition of the settlement agreement, the landlords are provided a Monetary Order in the amount of \$450.00 to ensure payment is made by 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: December 22, 2022

Residential Tenancy Branch