



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes **MNDCT, FFT**

Introduction

This hearing dealt with an application filed by the tenants pursuant the *Residential Tenancy Act* (the “Act”) for:

- A monetary order for damages or compensation pursuant section 67; and
- Authorization to recover the filing fee from the other party pursuant to section 72.

Both tenants and the landlord attended the hearing. The landlord acknowledged being served with the tenants’ Notice of Dispute Resolution Proceedings package and had no issues with timely service of documents.

Preliminary Issue

The tenants named a sole proprietorship as their landlord in this application for dispute resolution. The person attending this hearing on behalf of the landlord testified that he is the named landlord on the tenancy agreement and the proper party to this dispute. The tenants requested that their application be amended, and the landlord agreed with the amendment. The correct name of the landlord appears on the cover page of this decision.

Settlement Reached

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, turned their minds to compromise and achieved the following resolution of their dispute. The parties mutually agree to the following terms.

1. The landlord will compensate the tenants with \$2,700.00 in full and final settlement of this application.
2. The landlord will return the tenants' security deposit and pet damage deposit totalling \$2,200.00.
3. The tenants will be awarded a monetary order in the amount of \$4,900.00.

Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute. As the parties resolved matters by agreement, I make no findings of fact or law with respect to the application before me.

As the parties settled this dispute, I decline to exercise my discretion to award the return of the filing fee.

Conclusion

In order to implement the above settlement reached between the parties and as discussed with them at the hearing, I issue a monetary Order in the tenants' favour in the amount of \$4,900.00.

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 04, 2023

Residential Tenancy Branch