



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Introduction**

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for damage to the rental unit pursuant to section 67;
- a monetary order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- authorization to retain all or a portion of the tenant's security deposit in partial satisfaction of the monetary order requested pursuant to section 38;
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

All named parties attended the hearing. During the hearing, the parties were successful in resolving this dispute by mutual agreement.

### **Terms of Settlement**

Pursuant to section 63 of the Act, an 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.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The parties agree that the tenant C.W. is solely responsible to compensate the landlord for damages in the total of \$20,300.00.
2. The tenant C.W. agrees to pay the above amount to the landlord in accordance with the following payment plan terms and conditions:

1. Payment of \$150.00 on a bi-weekly basis beginning on May 19, 2023.
2. Effective September 6, 2023, payment of \$250.00 on a bi-weekly basis which shall continue until the balance is paid in full.
3. The landlord is granted a Monetary Order for the full arrears amount of \$20,300.00 and the enforceable portion of this order will be reduced in accordance with any payments made to the landlord.
4. The tenant C.W. and landlord agree the tenant C.W. will be solely named in the monetary order and the landlord may immediately enforce this order if the tenant C.W. does not adhere to the payment schedule as stipulated above.

Each party confirmed that this agreement was reached voluntarily and that they understood the terms of the agreement. The parties agreed that the above terms comprise the full and final settlement of all aspects of this dispute.

**This Decision and Settlement Agreement is final and binding on both parties.**

#### Conclusion

Pursuant to section 67 of the *Act*, I grant the landlord a Monetary Order in the amount of **\$20,300.00**. Subject to the payment plan terms above, should the tenant fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court 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 16, 2023

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Residential Tenancy Branch