



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes

Upper: **MNRL-S, MNDL-S, MNDCL-S, FFL**

Basement: **MNRL-S, MNDL-S, MNDCL-S, FFL**

Introduction

This hearing dealt with the Landlords' application for the upper unit under the *Residential Tenancy Act* (Act) for:

1. A Monetary Order to recover money for unpaid rent – holding security and/or pet damage deposit under sections 26, 38, 46, and 67 of the Act;
2. A Monetary Order for the Tenants to pay to repair the damage that they, their pets or their guests caused during their tenancy – holding security and/or pet damage deposit under sections 38 and 67 of the Act;
3. A Monetary Order for compensation for a monetary loss or other money owed – holding security and/or pet damage deposit under sections 38 and 67 of the Act; and,
4. Recovery of the application filing fee under section 72 of the Act.

This hearing also dealt with the Landlords' application for the basement unit under the Act for:

1. A Monetary Order to recover money for unpaid rent – holding security and/or pet damage deposit under sections 26, 38, 46, and 67 of the Act;
2. A Monetary Order for the Tenants to pay to repair the damage that they, their pets or their guests caused during their tenancy – holding security and/or pet damage deposit under sections 38 and 67 of the Act;
3. A Monetary Order for compensation for a monetary loss or other money owed – holding security and/or pet damage deposit under sections 38 and 67 of the Act; and,
4. Recovery of the application filing fee under section 72 of the Act.

Settlement

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.

The Parties reached a mutual agreement on this matter. The Parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the Parties to reach an agreement, which would be documented in my Decision.

The Parties agreed to settle this matter as follows:

1. The Parties agree that the Landlords owe the Tenants \$566.38 compensation which settles all monetary claims that are part of these files;
2. The Tenants will be granted a Monetary Order for the above compensation amount in case the Landlords do not comply with term 1 of this settlement;
3. The Parties agree that the above settlement terms bar any future monetary claims or other claims against either party regarding this tenancy;
4. The Parties are ordered to comply with all these settlement terms; and,
5. These terms comprise the full and final settlement of all aspects of this dispute for both parties.

Both Parties testified at the hearing that they confirm the accuracy of the final terms above, and that they understood and agreed to these terms, free of any duress or coercion. 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.

Conclusion

Given the mutual agreement reached during the hearing, I find that the Parties have settled their dispute as recorded above. To give effect to this agreement, I grant a Monetary Order to the Tenants in the amount of \$566.38. Should the Landlords fail to

comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court 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 Act.

Dated: November 24, 2023

Residential Tenancy Branch