

DECISION

Introduction

This hearing dealt with cross Applications including:

The Tenant's August 29, 2023, Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for:

- a Monetary Order for the return of all or a portion of their security deposit and/or pet damage deposit under sections 38 and 67 of the Act
- a Monetary Order for compensation for the Landlord failing to accomplish the stated purpose on a notice to end tenancy under section 51 or 51.4 of the Act
- authorization to recover the filing fee for this application from the Landlord under section 72 of the Act

The Tenant's January 10, 2024, Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for:

- a Monetary Order for compensation for damage or loss under the Act, regulation or tenancy agreement under section 67 of the Act
- authorization to recover the filing fee for this application from the Landlord under section 72 of the Act

The Landlord's January 3, 2024, Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for:

- a Monetary Order for damage to the rental unit or common areas under sections 32 and 67 of the Act
- a Monetary Order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement under section 67 of the Act
- authorization to retain all or a portion of the Tenant's security deposit in partial satisfaction of the Monetary Order requested under section 38 of the Act
- authorization to recover the filing fee for this application from the Tenant under section 72 of the Act

The Landlord was represented by Counsel J.L.

The Tenant was represented by Counsel C.S.

The parties indicated their intention to settle their dispute at the outset of the hearing.

Analysis

Under section 63 of the Act, the Arbitrator may assist the parties to settle their dispute. 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 this hearing, the parties reached an agreement to settle their respective disputes.

Both parties agreed to the following terms of a final and binding resolution of their respective disputes and all issues in dispute arising out of this tenancy and did so of their own free volition and without any element of coercion:

1. Both parties agreed to join the Tenant's dispute that had been scheduled for May 6, 2024, with the two disputes scheduled for January 30, 2024.
2. Both parties agreed that the Landlord will pay \$20,000.00 to the Tenant, on or before February 20, 2024.
3. Both parties agreed that these particulars comprise the full settlement of all aspects of their respective applications for dispute resolution and that all obligations and duties are extinguished in full.

Conclusion

To give effect to the above settlement reached between the parties, I grant a Monetary Order in the Tenant's favour in the amount of \$20,000.00. The Tenant is provided with this Order and the Landlord must be served with a copy of the Order as soon as possible if payment is not received on February 20, 2024.

Should the Landlord fail to comply with the Order, it 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 Act.

Dated: January 30, 2024

Residential Tenancy Branch