

DECISION

Introduction

This re-convened hearing dealt with an application filed by both the Landlord and the Tenants pursuant to the Residential Tenancy Act (the “Act”):

The Landlord applied for:

- a Monetary Order for damage to the rental unit or common areas under sections 32 and 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 Tenants applied 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

Landlord DW attended the reconvened hearing with CT attending as their support person.

Tenants JC and LD attended the reconvened hearing for the Tenants.

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 dispute.

Both parties agreed to the following terms of a final and binding resolution of the Tenants' application and the issues in dispute arising out of this tenancy at this time and that they did so of their own free volition and without any element of coercion:

1. The parties agree to the withdrawal their applications for dispute resolution.
2. The parties agree that the Landlord will retain the Tenants' security and pet damage deposit.
3. The parties agree that neither party will file any further applications for dispute resolution regarding this tenancy
4. The parties agree to work together to execute a general release from any further proceedings related to the tenancy relationship.
5. The parties agree to refrain from future derogatory and/or disparaging comments regarding the tenancy relationship.
6. The parties agree that this settlement agreement constitutes a final and binding resolution of the applications before me today which settles all aspects of this dispute.

Conclusion

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: September 5, 2024

Residential Tenancy Branch