

DECISION

Dispute Codes: MND, FF

Introduction

This hearing dealt with an application by the Landlord pursuant to the *Residential Tenancy Act* for a monetary order, to recover the costs of repair and cleaning of the rental unit and for the filing fee. Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Issues to be decided

Has the landlord established a monetary claim of \$770.93 for costs incurred to repair and clean the rental unit? Is the landlord entitled to the recovery of the filing fee of \$50.00?

Background and Evidence

The tenancy started on May 01, 2010 for a fixed term of six months. The tenant moved out prior to the end of the fixed term, on October 31, 2010. The rent was \$1,450.00 and was due in advance on the first day of each month.

The claims made by the landlord were discussed at length. During the hearing the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the dispute resolution officer may assist the parties settle their dispute and if the parties settle their dispute during the hearing, the settlement may be recorded in the form of a decision or an order.

During this hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. The tenant agreed to pay \$820.93 to the landlord in settlement of the landlord's claim against her.

2. The tenant agreed to pay this amount on or before May 31, 2011.
3. The landlord agreed to accept \$820.93 in full settlement of her claim against the tenant.
4. The landlord will be granted a monetary order in the amount of \$820.93.
5. Both parties agreed that the above particulars comprise **full and final settlement** of all aspects of the dispute for both parties, if the tenant makes her payment to the landlord on or before May 31, 2011.
6. The tenant agreed that she understood that the landlord would pursue her claim for rent for the final month of the fixed term tenancy, in the event that the tenant did not make payment of \$820.93 on or before May 31, 2011.

Conclusion

Pursuant to the above agreement, I grant the landlord a monetary order under section 67 of the *Residential Tenancy Act* for the amount of **\$820.93**. This order may be filed in the Small Claims 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: March 14, 2011.

Residential Tenancy Branch