



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MND, MNDC & FF

Introduction

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Application for Dispute Resolution/Notice of Hearing filed by each party was sufficiently served on the other. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the Tenant is entitled to a monetary order and if so how much?
- b. Whether the Tenant is entitled to recover the cost of the filing fee?
- c. Whether the landlord is entitled to a monetary order and if so how much?
- d. Whether the landlord is entitled to recover the cost of the filing fee?

Background and Evidence

The parties entered into a written tenancy agreement that provided that the tenancy would start on September 1, 2012 and continue on a month to month basis. The tenancy agreement provided that the tenant(s) would pay rent of \$1200 per month payable on the first day of each month. The tenant paid a security deposit of \$600. The tenant testified there was a subsequent agreement the rent would be reduced to \$1000 per month. The landlord disputes this.

The tenancy ended on July 31, 2013. The security deposit of \$600 was returned to the tenant.

The tenant has filed an Application for Dispute Resolution seeking compensation of \$500 per month for 11 months for a total of \$5500. The landlord has filed an Application for Dispute Resolution seeking compensation of \$2000 for non-payment of rent.

Settlement:

During the hearing the parties reached a settlement and they asked that I record the settlement pursuant to section 63(2) of the Residential Tenancy Act as follows:

- a. Each party withdraws their claim and consents to a dismissal of their claim without liberty to re-apply.
- b. This is a full and final settlement and each party releases and discharges the other from all further claims with respect to this tenancy.

As a result of the settlement I ordered that the claims filed by each party be dismissed as withdrawn without liberty to re-apply.

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: November 28, 2013

Residential Tenancy Branch

