



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT FFT

Introduction

This hearing dealt with an application by the tenant for a monetary order under Section 51(2) of the Residential Tenancy Act (the “Act”) in an amount equivalent to double the monthly rent payable under the tenancy agreement and for reimbursement of the filing fee.

The hearing was conducted via teleconference. Both parties attended the hearing and were given a full opportunity to be heard, to present their affirmed testimony and to make submissions. The landlord’s wife and agent OC appeared with him (“the landlord”).

During this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute.

Pursuant to section 63 of the Act, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision or an Order. Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a Decision:

The Parties mutually agree as follows:

- The landlord will pay to the tenant the sum of \$3,100.00 on or before November 30, 2018;
- The tenant’s claims are dismissed without leave to reapply.

To give effect to the settlement reached between the parties, I issue to the tenant the attached monetary order requiring the landlord to pay the sum of \$3,100.00 to the tenant on or before November 30, 2018 to be served upon the landlord only if the landlord fails to pay the full amount by that time.

These terms comprise the full and final settlement of all aspects of this dispute for both parties.

Both parties testified that they understood and agreed that the above terms are final, binding, and enforceable, and settle all aspects of this dispute.

Based on the above, I find that all matters between these parties raised in this application are resolved pursuant to the above agreed terms.

Conclusion

I issue to the tenant the attached monetary order requiring the landlord to pay the sum of \$3,100.00 to the tenant on or before November 30, 2018 to be served upon the landlord only if the landlord fails to pay the full amount by that time. If the landlord fails to comply with this order the landlord may file the order with the Supreme Court of British Columbia and be 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: November 22, 2018

Residential Tenancy Branch