



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND MNR MNSD FF

Introduction

This hearing dealt with the Landlord's Application for Dispute Resolution, made on April 16, 2019 (the "Application"). The Landlord applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- a monetary order for damage to the unit, site, or property; and
- a monetary order for unpaid rent or utilities;
- an order that the Landlord be permitted to apply the security deposit held to any monetary award granted; and
- an order granting recovery of the filing fee.

The Landlord was represented at the hearing by P.W., an agent. D.M. attended the hearing on behalf of both Tenants. Both P.W. and D.M. provided a solemn affirmation at the beginning of the hearing.

Settlement

The opportunity for settlement was discussed with P.W. and D.M. during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement, which would be documented in my Decision.

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The Tenants agree to pay and the Landlord agrees to accept payment of \$34,000.00 on account of unpaid rent and other losses arising from the tenancy.
2. The Tenants agree the Landlord is entitled to retain the security deposit held (\$2,375.00) in partial satisfaction of the claim, reducing the amount outstanding to \$31,625.00.
3. The Landlord agrees to withdraw the Application in full as part of this settlement.

This settlement agreement was reached in accordance with section 63 of the *Act*. As the settlement was reached through negotiation, I decline to grant recovery of the filing fee to the Landlord.

Conclusion

In support of settlement, and with the agreement of the parties, the Landlord is granted a monetary order in the amount of \$31,625.00. The order may be filed in and enforced as an order of the Provincial Court of British Columbia (Small Claims).

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: July 26, 2019

Residential Tenancy Branch