Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   MNRL, MNDCL

Introduction

This hearing dealt with the landlords' application pursuant to the *Residential Tenancy Act* ("*Act*") for:

- a monetary order for unpaid rent, utilities, and for compensation under the *Act, Residential Tenancy Regulation* or tenancy agreement, pursuant to section 67.

The "female tenant" did not attend this hearing, which lasted approximately 47 minutes. The two landlords and the male tenant ("tenant") attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses. The tenant confirmed that he had permission to represent the female tenant at this hearing (collectively "tenants").

The tenant confirmed receipt of the landlords' application for dispute resolution hearing package. In accordance with sections 89 and 90 of the *Act*, I find that both tenants were duly served with the landlords' application.

Settlement Terms

Pursuant to section 63 of the *Act,* the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision and orders. During the hearing, the parties discussed the issues between them, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

1. Both parties agreed that the tenants paid the landlords $4,000.00, which the landlords agreed to accept towards the following:
   a. The security deposit for this tenancy of $1,125.00;
   b. Outstanding rent of $1,650.00 for March 2020;
   c. Outstanding utilities of $476.82 for the period from December 7, 2019 to February 6, 2020;
   d. Outstanding utilities of $442.33 for the period from February 7, 2020 to April 6, 2020;
   e. Partial rent of $305.85 for April 2020;
2. Both parties agreed that the tenants still owe rent of $1,944.15 for April 2020, and rent of $2,250.00 for each month from May to August 2020, totalling $10,944.15;
3. Both parties agreed that the tenants still owe utilities for the rental unit for the period from April 7, 2020 to present;
4. The tenants agreed to accept service of utility bills and rent information from the landlords, by way of email;
   a. The tenants agreed to immediately confirm receipt, by way of email, for the above documents from the landlords;
   b. The tenants' correct email address was confirmed by both parties during this hearing;
5. The landlords agreed to provide the tenants with a repayment plan, in accordance with Residential Tenancy Policy Guideline 52, regarding the outstanding rent and utilities for the period from April 2020 to August 2020;
6. The landlords agreed that this settlement agreement constitutes a final and binding resolution of their application at this hearing.

These particulars comprise the full and final settlement of all aspects of this dispute for both parties. Both parties affirmed that they understood and agreed to the above terms, free of any duress or coercion. Both parties affirmed that they understood and agreed that the above terms are legal, final and binding and enforceable, which settle all aspects of this dispute.

Conclusion

The landlords' application for unpaid rent and utilities for the period from April to August 2020 is dismissed with leave to reapply, as the landlords are required to comply with the repayment plan provisions in Residential Tenancy Policy Guideline 52 first, as noted in the settlement above.

I order both parties to comply with all of the above settlement terms.

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: August 28, 2020

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Residential Tenancy Branch