



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

**Dispute Codes**      Landlords: MNDL-S, FFL  
                                 Tenants: MNSDB-DR, FFT

### **Introduction**

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear a cross application regarding the above-noted tenancy.

The Landlords' application pursuant to the Act is for:

- a monetary order for compensation for damage and loss under the Act, the Regulation or tenancy agreement, pursuant to section 67;
- an authorization to retain the security and pet damage deposits (the deposits), under Section 38; and
- an authorization to recover the filing fee, pursuant to section 72.

The Tenants' application pursuant to the Act is for:

- an order for the landlord to return the deposits, pursuant to section 38; and
- an authorization to recover the filing fee for this application, under section 72.

Landlord PL (the Landlord) and Tenants NB and EC (the Tenants) attended the hearing on October 3, 2023. The Landlord represented Landlord JL. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

### **Settlement**

Pursuant to section 63 of the Act, an 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 or an order. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all the issues listed in these applications for dispute resolution:

1. The Landlords will pay the Tenants \$700.00.
2. The Landlords will mail the Tenants a \$700.00 certified cheque by October 10, 2023 to the Tenants' address recorded on the cover page of this decision.

### Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the settlement reached between the parties and as discussed with them during the hearing, pursuant to section 63(2) of the Act, I grant the Tenants a monetary order in the amount of \$700.00. The monetary order for the October 10, 2023 payment may be enforced if the Landlord defaults on the October 10, 2023 payment. If the Landlords fail to comply with this Order the Tenants may file the order in the Provincial Court (Small Claims) to 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: October 03, 2023

---

Residential Tenancy Branch