



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes MNRL-S, OLRD, FFL, MNSDS-DR, FFT, LRSD

Introduction

This hearing dealt with the Landlord and Tenants Applications for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for:

The Landlord Application For:

- recovery for unpaid rent and utilities – request to retain the security deposit
- the Tenants to repay the cost of the filing fee

The Tenants' Application For:

- the Landlord to return the security deposit
- the Landlord to repay the cost of the filing fee

Landlord J.J.Z. and Landlord advisor K.N. attended the hearing for the Landlord.

Tenants A.S., R.D., M.B., and Tenant support individuals J.A.S., T.S., M.B. and M.B. attended the hearing for the Tenants.

At the outset of the hearing the parties indicated their intention to settle their dispute.

Settlement

Under section 63 of the Act, the Arbitrator may assist the parties to settle their dispute. 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 this hearing, the parties reached an agreement to settle their dispute.

Both parties agreed to the following terms of a final and binding resolution of the applications and the issues in dispute arising out of this tenancy at this time and that they did so of their own free volition and without any element of coercion:

1. The Landlord shall return the Tenants' security deposit in the amount of \$1,750.00.
2. The Landlord shall pay the Tenant's \$50.00 as partial repayment of their filing fee.
3. The Landlord shall pay the above noted security deposit and partial filing fee repayment in trust to Tenant A.S. on or before November 13, 2023, by electronic transfer.
4. The Landlord waives all claims to any unpaid rent, utilities or any other monies arising from the tenancy.
5. The Tenants waive all claims for monetary compensation of any kind to all matters associated with this tenancy.
6. Both parties agreed that these terms are the full settlement of their applications for dispute resolution.

Conclusion

In order to give effect to the settlement reached between the parties, and as discussed at the hearing, I grant a Monetary Order in the Tenants' favour in the amount of \$1,800.00. The Tenants are provided with this Order and the Landlord **must *only* be served** with a copy of this Order **if the Landlord fails** to keep the terms of this settlement. Should the Landlord fail to comply with this Order, the Order may be filed in the Small Claims Division of the Provincial Court and enforced as Orders 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 30, 2023

Residential Tenancy Branch