

Decision

Dispute Codes: MNR, MNDC, FF

Introduction

This hearing dealt with the landlord's application for a monetary order as compensation for unpaid rent, compensation for damage or loss under the Act / regulation / tenancy agreement, in addition to recovery of the filing fee. Both parties participated in the hearing and gave affirmed testimony.

Issues to be decided

- Whether the landlord is entitled to any or all of the above under the Act

Background and Evidence

Pursuant to a written residential tenancy agreement, the fixed term of tenancy was from March 15, 2009 to March 15, 2010. Rent in the amount of \$1,800.00 was payable in advance on the first day of each month, and a security deposit of \$900.00 was collected near the outset of tenancy. Further, at the outset of tenancy a move-in condition inspection and report were completed by the parties. A copy of this report was not before me in evidence.

By way of e-mail dated July 28, 2009, the tenant informed the landlord of her intention to end the tenancy. Subsequently, the tenant vacated the unit on or around August 29, 2009. A move-out condition inspection and report were completed by the landlord without the participation of either tenant. A copy of this report was not before me in evidence. Thereafter, new renters were found for the unit effective October 1, 2009.

During the hearing the parties exchanged views on some of the circumstances surrounding the dispute and undertook to achieve a resolution.

Analysis

Section 63 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution. Specifically, it was agreed as follows:

- that the landlord will retain the full security deposit in the amount of \$900.00;
- that further to the above, the tenant will make cash payment to the landlord in the full amount of \$626.33;
- that the above payment will be delivered to the landlord by way of courier at her home address as shown on her application for dispute resolution;
- that the above delivery will take place on Monday, December 7, 2009;
- that the above particulars comprise full and final settlement of all aspects of the dispute arising from this tenancy for both parties.

Conclusion

Following from all of the above and pursuant to section 67 of the Act, I hereby issue a monetary order in favour of the landlord in the amount of **\$626.33**. Should it be necessary, this order may be served on the tenants, filed in the Small Claims Court and enforced as an order of that Court.

DATE: December 2, 2009

Dispute Resolution Officer