

Decision

Dispute Codes: MND, MNSD, FF

Introduction

This hearing dealt with an application by the landlords for a monetary order as compensation for damage to the unit, site or property / retention of the security deposit / and recovery of the filing fee. Both parties participated in the hearing and gave affirmed testimony.

Issues to be decided

- Whether the landlords are entitled to any of the above under the Act

Background and Evidence

Pursuant to a written tenancy agreement the month-to-month tenancy began on May 1, 2009. Rent in the amount of \$1,200.00 was payable in advance on the first day of each month. A security deposit of \$550.00 was collected on April 30, 2009.

The landlords issued a 2 month notice to end tenancy for landlord's use of property dated January 20, 2010. A copy of the notice was submitted into evidence. The date shown on the notice by when the tenants must vacate the unit is March 31, 2010. Subsequently, the tenants did vacate the unit on or about March 31, 2010.

During the hearing the parties exchanged views on some of the circumstances surrounding the dispute and undertook to achieve a resolution. Matters discussed included, but were not limited to, the nature of contact between the parties where it concerns the move-in / move-out condition inspections & reports.

Analysis

The full text of the Act, regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: www.rto.gov.bc.ca/

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 landlords will retain the tenants' full security deposit in the amount of \$550.00;
- that further to the above, the tenants will make payment to the landlords in the total amount of \$400.00, and that a monetary order will be issued in favour of the landlords to this effect;
- that the above payment will be made by way of two installments, each in the form of a money order and each in the amount of \$200.00;
- that the above payments will be put into the mail, respectively, by no later than midnight, Wednesday, October 20, 2010, and midnight, Monday, November 22, 2010;
- that the above particulars comprise full and final settlement of all aspects of the dispute arising from this tenancy for both parties.

Conclusion

Pursuant to section 67 of the Act, I hereby issue a monetary order in favour of the landlords in the amount of \$400.00. 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: September 15, 2010

Dispute Resolution Officer

