



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MND, MNSD, MNDC, FF

Introduction

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* for Orders as follows:

1. A Monetary Order for loss of revenue - Section 67;
2. An Order to retain the security / pet deposit - Section 38;
3. An Order for money owed or compensation for damages – Section 67;
4. An Order to recover the filing fee for this application - Section 72.

Service of documents was carried out by the Landlord in accordance with the Act. Both parties attended the conference call hearing during which a settlement was reached between the parties on the Landlord's claim.

Background and Evidence

The tenancy began on June 15, 2010 with a one-year lease ending on June 30, 2011. A security deposit in the amount of \$425.00 was paid to the Landlord on May 30, 2010. The Tenant gave notice on December 17, 2010 to end the tenancy on January 31, 2011. The Landlord started to show the unit to prospective renters during the month of January and rented the unit to the first applicant for March 15, 2011. The Tenant did not clean the carpets upon move-out.

Settlement

Section 63 of the Act is set out as follows:

- (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.

- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order.

Given the authority under the Act, the parties desire to settle their dispute during the proceedings, and agreement reached between the parties during the proceedings, I find that the parties have settled their dispute over the monetary amounts claimed and the following records this settlement as a decision:

The Parties mutually agree as follows:

- 1. The Tenant will pay to the Landlord, no later than May 19, 2011, the amount of \$64.54, representing \$400.00 in lost rental income and \$89.54 in carpet cleaning costs against which the security deposit and interest of 425.00 is set off.**
- 2. All other claimed costs are waived by the Landlord.**
- 3. When requested by a prospective landlord in the future, the Landlord will provide an excellent reference for the Tenant .**
- 4. These terms comprise the full and final settlement of all aspects of this dispute for both parties.**

Conclusion

The claim of the Landlord is settled as set out on the above mutually agreed upon 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: April 19, 2011.

Residential Tenancy Branch