



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MNR, MNSD, FF

Introduction

This hearing dealt with cross applications. The tenant applied for return of his security deposit. The landlord applied for compensation for loss of rent and authorization to retain the security deposit. Both parties appeared at the hearing and were provided the opportunity to make submissions, in writing and orally, and to respond to the submissions of the other party.

Issue(s) to be Decided

Is the tenant entitled to return of the security deposit?

Is the landlord entitled to compensation for loss of rent for the month of June 2010?

Can the parties reach a mutual agreement to resolve this dispute?

Background and Evidence

The tenancy commenced October 1, 2008 and ended May 31, 2010. The tenant was required to pay rent of \$895.00 on the 1st day of every month and had paid a \$450.00 security deposit on September 23, 2008. The tenant gave written notice to end tenancy on May 3, 2010. The landlord re-rented the unit effective July 15, 2010.

After hearing from both parties they were able to reach a mutual agreement to resolve their dispute which I record in this decision as follows. The landlord shall retain the security deposit in full satisfaction of any loss the landlord may have incurred with respect to this tenancy.

Analysis

I accept this mutual agreement reached between the parties and make it an order to be binding upon both parties. In recognition of the mutual agreement the landlord is authorized to retain the security deposit and any accrued interest and both parties are now precluded from making any future application against the other party with respect

to this tenancy. This matter is considered resolved and neither party is provided a Monetary Order.

Conclusion

This dispute was settled and neither party has been provided a Monetary Order.

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 08, 2011.

Residential Tenancy Branch