Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION
WITH
RECORD OF SETTLEMENT

Dispute Codes:

MND, MNSD, MNDC, FF

Introduction

This hearing was convened in response to an application by the landlord for Orders pursuant to the *Residential Tenancy Act* (the Act). The tenancy ended and the landlord returned $595.54 of the original security deposit and interest – but still retaining a portion of the deposit in the amount of $906.39 (from the total of $1501.93 – inclusive of interest). The landlord orally amended their application within the hearing to exclude a quantum of claims, including the filing fee.

As a result, during the course of the hearing the parties considered and discussed their dispute and agreed to settle all the issues in dispute to the full satisfaction of both parties, and that I record their settlement as per Section 63 of the Residential Tenancy Act, as follows:

1. the tenant and landlord agree that the landlord is owed **the sum of $764.02** for remediation to carpeting($533.45), curtain cleaning($205.07) and for remote/s($25.50), and,
2. the landlord and tenant agree that the landlord will retain the agreed sum amount from the remaining $906.39 currently held by the landlord, and **return the balance of $142.37 to the tenant.**

So as to perfect this agreement, **I Order** that the landlord may retain $764.02 of the original security deposit and interest in full satisfaction of their claim and I grant the tenant an Order under Section 67 of the Act for the remaining balance to which the landlord is not entitled, in the amount of **$142.37.**   If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

This Settlement and Decision is final and binding on both parties.

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: January 09, 2013

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Residential Tenancy Branch