



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDC, OLC, FF

Introduction

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

I find that the Application for Dispute Resolution/Notice of Hearing was sufficiently served by mailing, by registered mail to where the landlord resides on February 26, 2015. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the tenant is entitled to a monetary order and if so how much?
- b. Whether the tenant is entitled to recover the cost of the filing fee?

Background and Evidence

The parties entered into a 3 month fixed term tenancy agreement that provided that the tenancy would start on December 1, 2014 and end on February 28, 2015. The rent was \$700 per month payable in advance on first day of each month. The tenant(s) paid a security deposit of \$700 at the start of the tenancy.

Problems arose between the tenant and the landlord. The tenant felt uncomfortable living in the rental unit. The parties agreed to end the tenancy and the tenant vacated the rental unit on or about January 28, 2015. The landlord returned \$240 of the security deposit to the tenant at that time.

The Application for Dispute Resolution filed by the tenant seeks a monetary order in the sum of \$2500 including the doubling of the security deposit.

Settlement:

At the end of the hearing the parties reached a settlement and they asked that I record the settlement pursuant to section 63(2) as follows:

- a. The landlord shall pay the tenant the sum of \$600 by May 15, 2015.
- b. The parties request the arbitrator to issue a monetary order in this sum.
- c. This is a full and final settlement and each party releases and discharges the other from all further claims with respect to this tenancy.

Monetary Order and Cost of Filing fee

As a result of the settlement I ordered that the landlord pay to the tenant the sum of \$600 by May 15, 2015.

The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial Court and enforced as an Order of that Court.

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 22, 2015

Residential Tenancy Branch

