



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCL-S MNDL-S MNRL-S FFL

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- a monetary order for unpaid rent and compensation for damages pursuant to section 67 of the *Act*;
- authorization to retain all or a portion of the security deposit in partial satisfaction of the monetary order requested pursuant to section 67 of the *Act*; and
- recovery of the filing fee from the tenants pursuant to section 72 of the *Act*.

Both parties attended the hearing and were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. Landlord C.S. attended and spoke on behalf of both landlords, and is herein referred to as "the landlord".

As both parties were present, service of documents was confirmed. The landlord testified that the tenants were served with the Notice of Dispute Resolution proceeding and her evidentiary materials by Canada Post registered mail, in July 2018. The landlord also served the tenants with an Amendment to the original Application for Dispute Resolution by registered mail at the end of October 2018. This was confirmed by the tenants. The tenants served the landlord with their evidentiary materials at the beginning of November 2018. This was confirmed by the landlord. Based on the undisputed testimonies of the parties, I find that both parties were served in accordance with sections 88 and 89 of the *Act*.

Analysis

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute, and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of the issue currently under dispute at this hearing:

1. The landlords shall retain the tenants' security and pet damage deposits in the amount of \$2,062.50.
2. Both parties agreed that this settlement as outlined above constitutes a final and binding resolution of the landlords' application for dispute resolution filed on July 13, 2018.
3. Both parties confirmed that they agreed to the terms of this settlement free of any duress or coercion.

Conclusion

The landlords shall retain the tenants' security and pet damage deposits.

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: November 19, 2018

Residential Tenancy Branch