



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

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

FFT MNSD

Introduction

This hearing dealt with applications from the landlord and the tenant pursuant to the Residential Tenancy Act ("Act").

The landlord applied for:

- Authorization to recover the filing fee for this application from the tenant pursuant to section 72;
- A monetary order for damages or compensation pursuant to section 67;
- A monetary order for damage to the rental unit pursuant to section 67;
- A monetary order for rent and/or utilities pursuant to section 67; and
- Authorization to retain a security deposit pursuant to section 38.

The tenant applied for:

- Authorization to recover the filing fees from the landlord pursuant to section 72;
- An order for the return of a security deposit or pet damage deposit pursuant to section 38.

Both parties attended the hearing, the landlord was represented by his property manager, WT ("landlord"). The parties acknowledged the exchange of evidence and stated there were no concerns with timely service of documents and were prepared to deal with the matters of their respective applications.

Preliminary Issue – landlord's name

The tenants filed an application against a party who was not named on the tenancy agreement. With the consent of both the landlord and the tenants, the landlords' names

were amended to the names reflected on the cover page of this decision in accordance with Rule 4.2 of the Rules.

Settlement Reached

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 all issues currently under dispute at this time:

The landlord will return to security deposit in the amount of \$1,125.00 to the tenant in full and final satisfaction of the landlord's claim and in full and final settlement of the tenant's claim.

Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion. Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute.

Conclusion

In order to implement the above settlement reached between the parties, I issue a monetary order in the tenant's favour in the amount of \$1,125.00.

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: June 20, 2019

Residential Tenancy Branch