



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDCT MNSD

Introduction

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

- the return of the security deposit pursuant to section 38 of the *Act*; and
- monetary compensation for damage or loss pursuant to section 67 of the *Act*.

Agents representing the parties attended the hearing and were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

As both parties were present, service of documents was confirmed. The landlord's agent confirmed receipt of the tenant's Notice of Dispute Resolution Proceeding Package and evidentiary materials. The tenant's agent confirmed receipt of the landlord's evidence.

Based on the undisputed testimonies of the parties, I find that the documents for this hearing were sufficiently served in accordance with the *Act*.

Issue(s) to be Decided

Is the tenant entitled to the return of the security deposit?

Is the tenant entitled to monetary compensation?

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 all issues currently under dispute at this time and all claims arising from this tenancy, given that this tenancy has ended:**

1. The landlord agreed to pay the tenant \$691.80 by e-transfer during the hearing. The tenant's agent confirmed receipt of the landlord's e-transfer during the hearing.
2. Both parties agreed that the terms of this settlement as outlined above constitutes a final and binding resolution of the tenant's Application for Dispute Resolution, all issues currently under dispute at this time, and that no further claims will be made by the tenant or landlord whatsoever arising from this tenancy.

Conclusion

The landlord paid the tenant \$691.80 in full and final satisfaction of the tenant's monetary claim.

Neither party may bring forward any further claims against each other arising from this tenancy.

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: December 16, 2019

Residential Tenancy Branch