Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   MNDCL-S, FFL

Introduction

The landlords sought compensation against their former tenants under section 67 of the *Residential Tenancy Act* ("Act"), including the filing fee under section 72 of the Act. They filed an application for dispute resolution on June 8, 2020 and a hearing was held on November 5, 2020.

At the hearing, one of the landlords and one of the tenants attended and they were given a full opportunity to be heard, present testimony, make submissions, and call witnesses.

Settlement

After each side had completed testifying, the landlord indicated that they would accept a resolution of the dispute if they could retain $654.00 of the tenants' security deposit. (The landlords had returned $196.00 of the deposit previously but had in this application initially sought just over $1,500.00.) The tenant was agreeable to resolving the dispute in this manner.

Pursuant to section 63(1) of the Act, an arbitrator may assist parties, or offer the parties an opportunity, to settle their dispute. Further, as per section 63(2) of the Act, the arbitrator may record the settlement in the form of a decision.

Therefore, the parties have agreed to settle this dispute as follows: that the landlords are hereby authorized to retain the $654.00 of the tenants' security deposit in full satisfaction of their claim against the tenants. And, that the tenants consent to the landlords retaining this amount of their security deposit. Finally, this settlement conclusively ends any further dispute between the parties over the security deposit.

As the dispute was resolved by way of a settlement, I decline to award the landlords the application filing fee.

I thank the landlord and the tenant for resolving this dispute in an amicable manner.

This decision is made on authority delegated to me under section 9.1(1) of the Act.

Dated: November 5, 2020

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Residential Tenancy Branch