



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

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

### **Introduction**

This hearing dealt with an Application for Dispute Resolution by the landlord filed under the *Residential Tenancy Act* (the “Act”) for a monetary compensation for cleaning, damages to the rental unit, to recover the cost of re-renting the premises, to keep the security deposit in partial satisfaction of the claim and to recover the cost of the filing fee.

Both parties appeared, gave affirmed testimony.

The landlord confirmed that they did not serve the tenants with their application for dispute resolution. Therefore, as the tenants were not properly served in accordance with the Act, I will only consider matters that were resolved by the parties by settlement agreement.

The parties agreed to settle the issue of cleaning and repairs, on the following conditions:

1. The tenants agreed to pay the landlord the amount of \$252.00 for cleaning and the amount of \$1,155.00 for repairs for the total amount of \$1,407.00;
2. The parties agreed that the landlord will keep the security deposit of \$1,350.00, in partial satisfaction of the claim leaving a balance of \$57.00 owed by the tenants.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Conclusion

As a result of the above settlement, the landlord is granted a monetary order, should the tenants fail to comply with the settlement agreement.

I have not granted the landlord the cost of the filing fee as they did not serve the tenants with their application. I have not considered the landlord's claim to recover the cost of re-renting the premises as the tenant's were not served with the landlord's application and was this matter was not settled. The landlord has leave to reapply for this portion of their claim.

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 11, 2023

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Residential Tenancy Branch