



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding SKYLINE LIVING
and [tenant name suppressed to protect privacy]

RECORD OF SETTLEMENT

Dispute Codes OPR-DR, MNR-DR, FFL, CNR, LRE, LAT, OLC, FFT

Introduction

This hearing dealt with an application from the landlord under the *Residential Tenancy Act* (the *Act*).

The landlord applied for:

- authorization to retain the security deposit in partial satisfaction of the claim pursuant to section 38;
- a monetary order for unpaid rent and losses pursuant to section 67; and
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

Settlement

Section 63 of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties at the outset of the hearing led to a resolution. Specifically, it was agreed as follows;

1. Both parties agree that the landlord is entitled to \$4,620.00 which breakdowns as follows: two months rent at \$2010.00 per month, \$500.00 liquidated damages and \$100.00 filing fee for this application. Both parties agree that the landlord will retain the security deposit of \$1052.50 leaving a balance of \$3,567.50 owing to the landlord for which the parties agree, the landlord is entitled to a monetary order in that amount.

Pursuant to this agreement the landlord will be given a monetary order to reflect condition #1 of this agreement. Should it be necessary, this order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

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 13, 2023

Residential Tenancy Branch