

## **DECISION**

### **Introduction**

This hearing dealt with the Landlord's and Tenant's Applications under the *Residential Tenancy Act* (the "Act").

The Landlord applied for:

- a Monetary Order for unpaid utilities
- a Monetary Order for damage to the rental unit
- a Monetary Order for money owed or compensation for damage or loss
- authorization to retain all or a portion of the tenant's security deposit in partial satisfaction of the Monetary Order
- authorization to recover the filing fee for this application from the tenant

The Tenant applied for:

- an order for the landlord to return the security deposit to the tenant
- authorization to recover the filing fee for this application from the landlord

At the start of the hearing the parties were offered an opportunity to settle their dispute and reached an agreement on all issues.

### **Analysis**

Under section 63 of the Act, the Arbitrator may assist the parties to settle their dispute.

Both parties voluntarily agreed to the following terms of a final and binding settlement:

1. The previous Monetary Order dated June 12, 2023 will not be enforceable by the Landlord.
2. The Landlord will retain the Tenant's security deposit of \$1150.00 with interest in parties satisfaction of the unpaid rent and unpaid utilities.
3. The Tenant will pay the Landlord the balance due of \$1587.03 for unpaid rent and utilities.
4. The Tenant will make monthly payments of \$150.00 per month to the Landlord until this debt is paid in full.
5. Both parties agree that these terms are the full settlement of all aspects of the Landlord and Tenant's current applications for dispute resolution.

## Conclusion

In order to give effect to the settlement reached between the parties, I grant the following Orders.

I grant a Monetary Order to the Landlord of \$2754.66 for unpaid rent and utilities. I Order the Landlord to retain the security deposit of \$1150.00 with interest in partial satisfaction of this debt. I Order the Tenant to pay the Landlord the balance due of **\$1587.03**.

Monetary Issue	Granted Amount
Unpaid rent	\$2754.66
Security Deposit with interest	\$1167.63
<b>Total Amount</b>	<b>\$1587.03</b>

I Order the Tenant to pay the Landlord in installments of \$150.00 per month until the balance due of \$1587.03 is paid in full.

The Landlord must serve this Order to the Tenant. If the Tenant does not pay their monthly installments of \$150.00 until the balance due is paid in full, this Order may be filed and enforced in the Small Claims Division of the Provincial Court of British Columbia.

The previous Monetary Order dated June 12, 2023 is not enforceable by the Landlord, and is replaced by this Monetary Order dated October 18, 2023.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: October 18, 2023

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Residential Tenancy Branch