



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

Decision

Dispute Codes: MNSD, FF

Introduction

This hearing dealt with an application by the tenant for double the return of her security deposit and recovery of the filing fee for this application. Both parties participated in the hearing and each gave affirmed testimony.

Issue to be Decided

- Whether the tenant is entitled to a monetary order under the *Act*

Background and Evidence

The tenancy began on or around April 28, 2008. At the outset of tenancy rent in the amount of \$650.00 was payable in advance on the first day of each month. At some point during the tenancy rent was reduced to \$600.00 per month. At the outset of the tenancy the landlord collected a security deposit from the tenant in the amount of \$325.00. There was no written residential tenancy agreement and no move-in inspection or report completed. The parties hold differing views on the condition of the unit at the beginning of tenancy compared to its condition when tenancy ended.

Further, the parties disagree as to the date when tenancy ended: the tenant stated she vacated the unit on August 26, 2008, whereas the landlord stated that tenancy ended on or around October 1, 2008. The landlord claims the tenant vacated the unit without giving notice, whereas the tenant states that the landlord ordered her to vacate the unit. The tenant asserts that she informed the landlord in writing of her forwarding address, however, a copy of her letter in this regard which was submitted in evidence is undated.

Analysis

Pursuant to section 63 of the *Act*, the parties turned their minds to achieving a resolution of the dispute. Specifically, the parties agree that the landlord will mail cheque payment to the tenant in the amount of \$375.00 by no later than December 10, 2008 and that, by doing so, all aspects of this dispute are settled.

Conclusion

Pursuant to the above agreement, I hereby order the landlord to mail to the tenant FORTHWITH but by no later than December 10, 2008, cheque payment in the amount of \$375.00.

Further, I grant the tenant a monetary order under section 67 of the *Act* for **\$375.00**. Should the landlord fail to comply with the above agreement, this order must be served on the landlord and may be filed in the Small Claims Court and enforced as an order of that Court.

DATE: December 1, 2008

Dispute Resolution Officer

