



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 the tenant's application for return of the security deposit and recovery of the filing fee. Both parties participated in the hearing and gave affirmed testimony.

Issue to be Decided

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

Background and Evidence

The term of this tenancy was from May 1, 2007 to September 30, 2008. Rent in the amount of \$925.00 was payable in advance on the first day of each month. On April 17, 2007 the landlord collected a security deposit from the tenant in the amount of \$462.50.

In summary, after the conclusion of the tenancy a dispute arose between the parties around the condition of the unit. In particular, the parties held differing views on what would be a fair deduction from an otherwise full return of the security deposit by the landlord to the tenant. Certain post-tenancy costs incurred by the landlord included general professional cleaning of the unit and specialized cleaning of the carpet.

Analysis

Pursuant to section 63 of the *Act*, the parties turned their minds to achieving a resolution of the dispute. Specifically, the parties agreed that the amount of the

landlord's payment to the tenant will be offset by the post-tenancy costs incurred by the landlord, as follows:

Monies due to tenant:

\$462.50 (original security deposit)

\$ 6.80 (interest accrued on original security deposit)

\$ 50.00 (filing fee)

\$519.30

Offsetting / post-tenancy costs incurred by landlord:

\$127.50 (general cleaning of the unit)

\$ 68.00 (carpet cleaning)

\$195.50

The balance of payment owing to the tenant is therefore **\$323.80** (\$519.30 - \$195.50).

The parties agree that the landlord's payment FORTHWITH of this amount to the tenant, as above, comprises full and final settlement of all aspects of this dispute for both parties.

Conclusion

Pursuant to the above agreement, I hereby grant the tenant a monetary order under section 67 of the *Act* for **\$323.80**. Should the landlord fail to comply with the 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 8, 2008

Dispute Resolution Officer

Dispute Resolution Officer