



Dispute Resolution Services

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

Decision

Dispute Codes: MNR, MNDC, MNSD, FF

Introduction

This hearing dealt with two applications: 1) from the tenant for a monetary order for compensation for loss, return of the security deposit and recovery of the filing fee; 2) from the landlord for a monetary order for unpaid rent, retention of the security deposit in partial satisfaction of the claim, and recovery of the filing fee. The landlords and the agent for the tenant participated in the hearing and gave affirmed testimony.

Issue to be Decided

- Whether either or both parties are entitled to a monetary order under the Act

Background and Evidence

Pursuant to a written residential tenancy agreement, the term of tenancy was from August 16, 2008 to August 15, 2009. Rent in the amount of \$1,800.00 was payable in advance on the 16th day of each month. A security deposit of \$900.00 was paid on July 16, 2009. By letter to the landlord dated November 19, 2008, the tenant provided notice of his intent to vacate the unit effective November 30, 2008.

During the hearing the parties exchanged different perspectives on a range of matters including, but not limited to, the condition of the unit at the beginning of tenancy, the extent of repairs required during the tenancy, and the nature of any verbal agreement that may have been reached between them related to an early end to tenancy.

Analysis

Pursuant to section 63 of the *Act*, discussion during the hearing led the parties to a resolution of their dispute. Specifically, it was agreed as follows that:

The landlord will mail cheque payment FORTHWITH to the tenant in the amount of \$900.00 as 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 **\$900.00**. Should the landlord fail to comply with the above agreement, this order may be served on the landlord, filed in the Small Claims Court and enforced as an order of that Court.

DATE: January 23, 2009

Dispute Resolution Officer