



Dispute Resolution Services

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

DECISION

Dispute Codes: MNSD

Introduction

This application was brought by the tenant seeking return of his security deposit on the claim that the landlord failed to return it within 15 days of the latter of the end of the tenancy and receipt of their forwarding address.

Background and Evidence

This tenancy began March 1, 2008 and ended on or about June 30, 2008. Rent was \$1,000 per month and the landlord held a security deposit of \$500 paid on March 1, 2008.

Consent Agreement

During the hearing, the parties acknowledged that they had had a trusting and mutually respectful relationship. As a result, they had not completed the required condition inspection report forms, and the landlord had not provided the formal "Notice of Final Opportunity to Schedule a Condition Inspection" at the end of the tenancy thereby extinguishing the right to claim on the deposit.

The landlord had returned \$69.41 of the deposit but had retained \$430.59 to cover claimed damages.

The landlord submitted evidence of the damages, but those claims could not be considered on the tenant's application for return of the security deposit. Therefore, the landlord would have needed to make a separate application.

On considering their options, the parties agreed to settle the dispute under the following terms:

1. The landlord agrees to pay the tenant \$200.
2. The parties agree that the payment will conclude all outstanding claims with respect to the subject tenancy and neither will bring further application on the tenancy.

Conclusion

To perfect the consent agreement, the tenants' copy of this decision is accompanied by a Monetary Order for \$200, enforceable through the Provincial Court of British Columbia, for service on the landlord.

The parties are commended for having crafted this consent agreement and for their considerate and respectful approach to one another and the dispute resolution process.

March 30, 2009

Dispute Resolution Officer