



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes:

MNR, MND, MNDC, MNSD, FF

Introduction

This hearing was scheduled in response to cross applications.

The Landlords submitted an Application for Dispute Resolution, in which the Landlords have made application for a monetary Order for unpaid rent or utilities; a monetary Order for damage to the rental unit, a monetary Order for money owed or compensation for damage or loss, to retain all or part of the security deposit and pet damage deposit, and to recover the filing fee from the Tenants for the cost of this Application for Dispute Resolution.

The Tenants submitted an Application for Dispute Resolution, in which the Tenants have made application for a monetary Order for money owed or compensation for damage or loss, the return of all or part of the security deposit and pet damage deposit, and to recover the filing fee from the Landlords for the cost of this Application for Dispute Resolution.

Both parties were represented at the hearing. They were provided with the opportunity to submit documentary evidence prior to this hearing, all of which has been reviewed, to present relevant oral evidence, to ask relevant questions, and to make submissions.

Issue(s) to be Decided

The issues to be decided in relation to the Landlords' Application for Dispute Resolution, are whether the Landlords are entitled to compensation for damage caused to the rental unit; for compensation for one month's lost revenue because the rental unit was not left in rentable condition; whether the Landlords should retain the security deposit and/or pet damage deposit; and whether the Landlord should be able to recover the filing fee for the cost of this Application for Dispute Resolution.

The issues to be decided in relation to the Tenants' Application for Dispute Resolution, are whether the Tenants are entitled to compensation for improvements made to the rental unit; to the return of their security deposit and/or pet damage deposit; and whether to recover the filing fee for the cost of this Application for Dispute Resolution.



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Background and Evidence

The Landlords and the Tenants agree that this tenancy began on April 01, 1008 and ended on March 31, 2009. The parties agree that they had a tenancy agreement that required the Tenants to pay monthly rent of \$1,560.00; that the Tenants paid a security deposit of \$780.00 on March 10, 2008; and a pet damage deposit of \$780.00 on March 10, 2008.

The Landlords alleged that the Tenants caused a significant amount of damage to this rental unit during the period of this tenancy, for which they are claiming compensation of \$3,557.78.

The Tenants alleged that they made improvements to the rental unit, such as ridding the rental unit of mice, installing smoke detectors/fire extinguisher, and purchasing space heaters, for which they are claiming compensation of \$373.98.

After hearing considerable evidence from both parties, the parties indicated that they wished to reach a settlement to their disputes. The Landlords and the Tenants agreed that all of the issues in relation to this tenancy that are currently in dispute will be resolved once the Landlord returns \$780.00 to the Tenants, which represents half of the security/pet damage deposits that were made.

Conclusion

As the Landlords and the Tenants reached a mutually agreeable settlement in these disputes, I find that I do not need to adjudicate this dispute.

Based on the mutual agreement between the Landlords and the Tenants, I find that the Tenants are entitled to a monetary Order, in the amount of \$780.00. In the event that the Landlords do not comply with this Order, it may be served on the Landlord, filed with the Province of British Columbia Small Claims Court and enforced as an Order of that Court.

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

Dated: July 07, 2009.

Dispute Resolution Officer