



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      MNR, MNDC, MNSD, FF

### Introduction

This matter dealt with an application by the tenant for a Monetary Order for the cost of emergency repairs, for money owed or compensation for damage or loss under the Act, An Order for the return of the security deposit and to recover the filing fee.

Service of the hearing documents was done in accordance with section 89 of the *Act*. They were hand delivered to the landlord's office on April 20, 2009.

Both parties appeared, gave their testimony, were provided the opportunity to present evidence and make submissions. During the course of the hearing I assisted the parties to resolve the dispute themselves and the parties came to the following agreement as a final settlement of the claim.

### Background and Evidence

This tenancy started on October 01, 2008. This is a fixed term tenancy ending on September 30, 2009. The tenants pay \$850.00 per month in rent which is due on the 1<sup>st</sup> of each month. The tenants paid a security deposit of \$420.00 on September 29, 2008.

The hearing commenced and I heard the evidence of both parties pertaining to events surrounding the issues raised by the tenant's application. Part way through the hearing I assisted the landlord and tenants to reach an agreement as a final settlement of the claim.



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## Analysis

The agreement reached by both parties is as follows; the landlord has agreed to reimburse the tenants the \$325.00 for liquidated damages and the carpet cleaning of \$70.00 which was taken from the tenant's security deposit. The reminder of the security deposit of \$25.00 has already been returned to the tenants; the tenants costs incurred for the repair of the front door of \$67.82, for the cost of the insecticide, goggles and mask to treat the silver fish infestation of \$29.13; the cost of the filing fee of \$50.00. The total amount the landlords have agreed to pay the tenants is **\$541.95**. This amount will be sent to the tenants by cheque as soon as the landlord receives this decision. The tenants are at liberty to cash the cheque for \$25.00 sent by the landlord on March 11, 2009 as this is the balance of the security deposit owed after the agreement has been reached.

## Conclusion

An agreement has been reached by both parties in final settlement of the claim. The landlord has agreed to pay to the tenants **\$541.95**.

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 27, 2009.

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Dispute Resolution Officer