



Dispute Resolution Services

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

Decision

Dispute Codes: MNSD, MNDC, FF

Introduction

This hearing dealt with the landlord's application for a monetary order as compensation for damage or loss under the Act, retention of all or part of the security deposit, and recovery of the filing fee. Both parties participated in the hearing and gave affirmed testimony.

Issues to be decided

- Whether the landlord is entitled to any or all of the above

Background and Evidence

Pursuant to a written residential tenancy agreement, the month-to-month tenancy began on December 1, 2008 and ended on April 30, 2009. Rent in the amount of \$685.00 was payable on the first day of the month, and a security deposit of \$337.50.00 was collected on November 18, 2008. A move-out condition inspection and report were completed on May 1, 2009.

In short, the landlord seeks to retain the security deposit in order to recover costs associated with carpet cleaning and pest control.

During the hearing the parties exchanged views on the circumstances surrounding the dispute and undertook to achieve a resolution.

Analysis

Section 63 of the Act provides that the parties may undertake to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution of the dispute. Specifically, it was agreed as follows:

- that the landlord will retain the security deposit in the full amount of \$337.50 plus interest accrued since its collection;
- that the landlord waives recovery of the filing fee for this application;
- that the above particulars comprise full and final settlement of all aspects of the dispute for both parties which arise out of this tenancy, and which are currently before me.

Conclusion

Following from the above agreement, I order that the landlord may retain the full security deposit of \$337.50 plus interest.

Further, pursuant to the above agreement, I dismiss the landlord's application for recovery of the filing fee.

DATE: August 26, 2009

Dispute Resolution Officer