



Dispute Resolution Services

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

Decision

Dispute Codes: MNSD, FF

Introduction

This hearing dealt with an application from the tenant for double the return of her security deposit and recovery of the filing fee for this application. Both parties participated in the hearing and gave affirmed testimony.

Issues to be decided

- Whether the tenant is entitled to either or both of the above

Background and Evidence

Pursuant to a written residential tenancy agreement, the tenancy commenced on or around October 17, 2007 and concluded at the end of January 2009. Rent in the amount of \$625.00 was payable on the first day of the month, and a security deposit of \$312.50 was collected at the start of tenancy.

The dispute centred around whether the landlord(s) had, without proper authority, withheld an amount from the security deposit in excess of what had been consented to by the tenant at the end of tenancy.

During the hearing the parties exchanged views on the circumstances surrounding the dispute and undertook to find 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(s) will issue cheque payment to the tenant in the full amount of \$122.50;
- that the above cheque will either be delivered to the tenant's place of work, or mailed to her at the residential address shown on her application;
- that the delivery or mailing of the cheque, as above, will be undertaken by no later than midnight, Friday, August 14, 2009;
- that the above particulars comprise full and final settlement of all aspects of the dispute arising from this tenancy for both parties.

Conclusion

Pursuant to section 67 of the Act, I hereby issue a monetary order in favour of the tenant in the amount of **\$122.50**. Should it be necessary, this order may be served on the landlord(s), filed in the Small Claims Court and enforced as an order of that Court.

DATE: August 7, 2009

Dispute Resolution Officer