

## **DECISION**

Dispute Codes      MND MNR MNSD

### Introduction

This hearing dealt with an application by the Landlord to obtain a Monetary Order for damage to the unit, for unpaid rent or utilities, and to keep all or part of the security deposit in accordance with sections 38 and 67 of the *Residential Tenancy Act*.

### Analysis

During the course of the hearing, the parties reached an agreement to settle this matter, on the following conditions:

1. the Landlord withdraws his application;
2. the Tenant will pay the Landlord \$125.00 (\$75.00 + \$50.00) which is to be off-set against the Tenant's security deposit of \$500.00 plus \$1.29 interest; and
3. the balance of the Tenant's security deposit of \$376.29 is to be paid by the Landlord to the Tenant immediately upon receipt of my decision; and
4. in consideration for this mutual settlement the parties agree that no further claims will be made by any of the three parties, whatsoever, arising from this tenancy.

### Conclusion

I grant the Tenant an order under section 67 for the balance due of \$376.29. This order may be filed in the 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: September 21, 2009.

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Dispute Resolution Officer