



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes:

MND, MNDC, MNSD, FF

Introduction

This hearing was scheduled in response to the Landlord's Application for Dispute Resolution, in which the Landlord has made application for 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 to recover the filing fee from the Tenant 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 questions, and to make submissions to me.

Issue(s) to be Decided

The issues to be decided are whether the Landlord is entitled to a monetary order for damage to the rental unit; for a monetary order for money owed or compensation for damage or loss under the *Residential Tenancy Act (Act)*, *Regulation*, or tenancy agreement; to retain all or part of the security deposit; and to recover the filing fee for the cost of this Application for Dispute Resolution.

Background and Evidence

The Landlord and the Tenant agree that this tenancy began on November 01, 2008; that the Tenant paid a security deposit of \$600.00 and a pet deposit of \$600.00.

The Landlord and the Tenant mutually agreed to settle all matters in relation to this tenancy under the following terms:

- The Landlord will withdraw her claims for compensation for damages to the rental unit; for money owed; and to recover the filing fee
- The Landlord will retain \$819.60 in compensation for damages to the rental unit

- The Landlord will return \$380.40 to the Tenant.

Conclusion

On the basis of the settlement agreement reached by the parties, I grant the Tenant a monetary Order for the amount \$380.40. In the event that the Landlord does not voluntarily return this amount to the Tenant, this Order 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: January 22, 2010.

Dispute Resolution Officer