

## **Decision**

**Dispute Codes:** MNSD, FF

### **Introduction**

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

### **Issues to be decided**

- Whether the tenant is entitled to the above under the Act

### **Background and Evidence**

A previous hearing was held in this dispute, and a decision and order were issued on February 17, 2010. While the tenant appeared at that hearing, the landlord was not present. Subsequently, the landlord applied for review of the decision and order on the grounds that he was unable to attend the hearing, because of circumstances that could not be anticipated and were beyond his control. By way of decision dated March 16, 2010, the dispute resolution officer granted the landlord's application for leave for review.

At the outset of this hearing the tenant stated that she wishes to withdraw her application for dispute resolution and to conclude the dispute. For his part, the landlord stated that he has no objection to the tenant's withdrawal of her application, and said that he is also agreeable to concluding the dispute.

### **Analysis**

Section 63 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, during the hearing the parties agreed that the tenant's withdrawal of her application concludes all aspects of the dispute arising from this tenancy for both parties.

Following from the above agreement reached between the parties, pursuant to section 82(3) of the Act which speaks to **Review of director's decision or order**, the original decision and order dated February 17, 2010 are hereby set aside.

**Conclusion**

Pursuant to the tenant's withdrawal of her application, and the agreement reached between the parties, as above, the application is hereby dismissed.

DATE: May 5, 2010

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Dispute Resolution Officer