

Decision

Dispute Codes: MND, MNDC, MNSD, FF

Introduction

This hearing dealt with two applications: i) by the landlord for a monetary order as compensation for damage to the unit, site or property, compensation for damage or loss under the Act, regulation or tenancy agreement, retention of the security deposit, and recovery of the filing fee; ii) by the tenant for the double return 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 either party is entitled to any of the above under the Act, regulation or tenancy agreement

Background and Evidence

Pursuant to a written tenancy agreement and addendum, the fixed term of tenancy was from September 1, 2009 to August 31, 2010. Rent in the amount of \$1,300.00 was payable in advance on the first day of each month. A security deposit of \$1,300.00 was collected near the outset of tenancy. A move-in condition inspection and report were completed on or about August 31, 2009.

By way of telephone on October 30, 2009, the tenant gave the landlord notice of his intent to end the tenancy effective November 30, 2009. A move-out condition inspection and report were not completed. New renters were found effective December 1, 2009.

During the hearing the parties exchanged views on some of the circumstances surrounding the dispute and persevered in attempting to achieve a resolution.

Analysis

The full text of the Act, regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: www.rto.gov.bc.ca/

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

- that the landlord will mail cheque payment to the tenant in the full amount of \$950.00;
- that the above cheque will be put into the mail by no later than midnight, Saturday, June 12, 2010;
- that the above particulars comprise full and final settlement of all aspects of the dispute arising from this tenancy for both parties.

Conclusion

Following from the agreement reached between the parties, I hereby order the landlord to mail cheque payment to the tenant pursuant to the details as set out above.

DATE: June 11, 2010

Dispute Resolution Officer