

Decision

Dispute Codes: MNSD, FF

Introduction

This hearing dealt with an application by the tenants for the double return of their security and pet damage deposits / and recovery of the filing fee. Both parties participated in the hearing and gave affirmed testimony.

Issues to be decided

- Whether the tenants are entitled to either or both of the above under the Act

Background and Evidence

Pursuant to a written tenancy agreement, the fixed term of tenancy was from March 1, 2009 to February 28, 2010. Rent of \$1,550.00, parking fees of \$100.00 and a storage locker fee of \$15.00, were all payable in the total amount of \$1,665.00 in advance on the first day of each month. A security deposit of \$775.00 and a pet damage deposit of \$775.00 were both collected on February 15, 2009.

During the hearing the parties exchanged views on some of the circumstances surrounding the dispute which included, but were not necessarily limited to, irregularities associated with the move-in and move-out condition inspections / reports. Further, during the hearing the parties undertook 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 pay the tenants \$1,480.00;
- that the instrument used to make the above payment will be made payable to tenant "JP";
- that the landlord will put the above payment into the mail by no later than midnight, Tuesday, August 31, 2010;
- that the above payment reflects consideration in favour of the landlord for some of the costs associated with repairs to a door in the unit, and consideration in favour of the tenants with regard to their filing fee;
- 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 tenants in the amount of **\$1,480.00**. 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 5, 2010

Dispute Resolution Officer