



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes:

MND, MNSD

Introduction

This hearing was convened in response to the Landlord's Application for Dispute Resolution, in which the Landlord applied for a monetary Order for damage to the rental unit and to keep all or part of the security deposit.

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 retain all or part of the security deposit in compensation for damages to the rental unit.

Background and Evidence

The Landlord and the Tenants agree that this tenancy began on January 01, 2009; that it ended on March 29, 2010; and that the Tenants paid a security deposit of \$500.00 on December 31, 2008.

After considerable discussions regarding damages to the rental unit, the parties mutually agreed to resolve this dispute by the Landlord retaining \$100.00 of the security deposit that was paid by the Tenants and returning the other \$400.00.

Conclusion

Based on the mutual agreement reached at the hearing, I grant the Tenants a monetary Order in the amount of \$400.00. In the event that the Landlord does not comply with the terms of this mutual agreement, the 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: September 10, 2010.

Dispute Resolution Officer