

Decision

Dispute Codes: MNSD, FF

Introduction

This hearing dealt with an application by the tenants for the double return of the security deposit, in addition to 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 the above under the Act

Background and Evidence

Pursuant to a written tenancy agreement, the fixed term of tenancy was from November 1, 2006 to October 31, 2008. While there is conflicting evidence around how and when the tenants gave notice to end the tenancy, the parties agree that the tenancy ended on November 30, 2008. Monthly rent was \$1,500.00, and the landlord collected a security deposit of \$750.00.

During the hearing the parties exchanged views on some of the circumstances surrounding the dispute and undertook to achieve a final 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 \$375.00, and that a monetary order will be issued in favour of the tenants to that effect;

- that the above payment will be by cheque made payable to tenant "JG,"
- that the above cheque will be put into the mail by not later than midnight, Friday, December 31, 2010;
- that the above particulars comprise full and final settlement of all aspects of the dispute arising from this tenancy for both parties, such that neither party will file any related applications for dispute resolution in future.

Conclusion

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the tenants in the amount of **\$375.00**. Should it be necessary, this order may be served on the landlord, filed in the Small Claims Court and enforced as an order of that Court.

DATE: December 29, 2010

Dispute Resolution Officer