

## **REVIEW HEARING DECISION**

**Dispute Codes:** MND, MNR, MNSD and FF

### **Introduction**

This matter was originally heard on September 3, 2010 but was dismissed without leave to reapply when the applicant on landlord did not appear.

However, the landlord was granted the present Review Hearing by a decision issued on September 22, 2010 on grounds that he was unable attend the original hearing for reasons that could not be anticipated and were beyond his control.

The landlord's original application sought a Monetary Order for unpaid utilities, damage to the rental unit, recovery of the filing fee and authorization to retain the security deposit in set off against the balance owed.

### **Issues to be Decided**

This matter requires a decision on whether the landlord is entitled to a Monetary Order for the claims submitted taking into account whether it is proven that the damages exist, that they were caused by the tenants, that the amounts claimed are proven and reasonable and that the landlord has taken reasonable measures to minimize the costs.

## **Background and Evidence**

This tenancy began on July 1, 2009 and ended on March 31, 2010. Rent was \$1,800 per month and the landlord holds a security deposit of \$900 paid on May 15, 2009.

At the commencement of the hearing, the tenant stated that she believed all of the landlord's claims had been adequately covered by the \$900 security deposit which she agreed the landlord could retain.

The landlord stated that he would accept the security deposit in full and final settlement of his claims.

## **Conclusion**

I hereby confirm the evidence given by the tenant that the landlord has her consent to retain the security deposit of \$900 in full and final settlement of all claims pertaining to the tenancy.

November 1, 2010