



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

Dispute Codes      MND, MNDC, MNSD, & FF

### Introduction

This hearing dealt with cross applications by the parties. The landlord filed an application seeking monetary relief from the tenants due to damage caused to the rental unit and a request to retain the tenants' security deposit in partial satisfaction of the claim. The tenants filed an application seeking monetary relief due to loss of damage suffered from a breach of the tenancy agreement or *Act* by the landlord and a request that their security deposit be returned.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross examine the other party, and make submissions to me

### *Opportunity to Settle Dispute*

Section 63 of the *Act* allows for parties to reach a mutual agreement to settle their dispute, with or without the assistance of the Dispute Resolution Officer. Section 63 and the rules of procedure also provide that if a settlement is reached, the terms of the settlement can be documented in a decision by the Dispute Resolution Officer and any Order issued in enforcement of a settlement has the same force and effect as an Order issued without the agreement of the parties.

The landlord and the tenants reached a mutual agreement to resolve all claims under the tenancy agreement or *Act*. The terms of the agreement are as follows:

1. The landlord may retain the tenants' security deposit plus interest; and
2. Both the landlord and the tenants agree that this resolves all claims or loss under the tenancy agreement and agree not to pursue any further claims from the other party.

Conclusion

Pursuant to section 63 of the *Act* the parties have resolved their dispute by mutual agreement.

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: January 24, 2011.

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Residential Tenancy Branch