

DECISION

Dispute Codes:

MNSD, MNDC, FF

Introduction

This hearing dealt with an application by the tenant, pursuant to section 38 of the *Residential Tenancy Act*, for a monetary order for the return of double the security deposit, for compensation and for the recovery of the filing fee. Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Issues to be Decided

Is the tenant entitled to the return of double the security deposit, compensation and the filing fee?

Background and Evidence

The tenancy started on January 01, 2010 for a fixed term of one year. Prior to moving in the tenant paid a security deposit of \$425.00. The tenant moved out on September 30, 2010 without giving the landlord proper notice. The landlord retained the security deposit towards the loss of income, for cleaning and repairs. The tenant is applying for double the security deposit and for compensation for the inconvenience he experienced while construction was going on

During the hearing the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the dispute resolution officer may assist the parties settle their dispute and if the parties settle their dispute during the hearing, the settlement may be recorded in the form of a decision or an order.

During this hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. The tenant agreed to withdraw his claim for double the security deposit and compensation and accept \$600.00 in full settlement of his claim against the landlord.
2. The landlord agreed to pay the tenant \$600.00 and not to pursue his claim against the tenant for the loss of income and the cost of cleaning and repairs.

The parties agreed that the above particulars comprise **full and final settlement** of all aspects of the dispute for both parties.

Conclusion

Pursuant to the above agreement, I grant the tenant a monetary order under section 67 of the *Residential Tenancy Act* for the amount of **\$600.00**. This order may be filed in the 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: February 21, 2011.

Residential Tenancy Branch