

Decision

Dispute Codes: MND, MNSD, FF

Introduction

This hearing dealt with the landlord's application for a monetary order as compensation for damage to the unit, site or property / retention of the security deposit / and recovery of the filing fee. Both parties were represented in the hearing and gave affirmed testimony.

Issues to be decided

- Whether the landlord is entitled to any of the above under the Act

Background and Evidence

Pursuant to a written tenancy agreement, the month-to-month tenancy began on December 1, 2009 and ended on or about September 30, 2010. Monthly rent was \$575.00 and a security deposit of \$287.50 was collected. While copies of reports are not in evidence, the parties agree that a move-in and a move-out condition inspection were completed.

The dispute arises out of a disagreement about what amount the landlord may be entitled to withhold from the security deposit. During the hearing the parties exchanged views on circumstances surrounding the dispute and undertook to achieve a resolution.

Analysis

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 repay \$127.50 to the tenant from her security deposit, and that a monetary order will be issued in favour of the tenant to this effect;
- that the above payment will be made by way of cheque;
- that the above cheque will be put into the mail by not later than midnight, Friday, February 11, 2011;
- that the above particulars comprise full and final settlement of all aspects of the dispute arising from this tenancy for both parties.

Conclusion

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the tenant in the amount of **\$127.50**. 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.

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*.

DATE: February 7, 2011

Residential Tenancy Branch