



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MND MNSD

Introduction

This hearing dealt with cross applications for Dispute Resolution filed by both the Landlord and the Tenant.

The Landlord filed seeking a Monetary Order for damage to the unit site or property and to keep all or part of the pet and or security deposit.

The Tenant filed seeking a Monetary Order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, the return of his security deposit, utility deposit, and to recover the cost of the filing fee from the Landlord.

The parties appeared at the teleconference hearing, gave affirmed testimony, were provided the opportunity to present their evidence orally, in writing, and in documentary form.

Issue(s) to be Decided

1. Did the Tenant breach the *Residential Tenancy Act*, regulation or tenancy agreement?
2. If so, has the Landlord met the burden of proof to obtain a Monetary Order as a result of that breach?
3. Did the Landlord breach the *Residential Tenancy Act*, regulation or tenancy agreement?
4. If so, has the Tenant met the burden of proof to obtain a Monetary Order as a result of that breach?

Background and Evidence

During the course of the hearing the parties agreed to settle this matter.

Analysis

The parties reached an agreement to settle these matters on the following conditions:

1. the Tenant withdraws his application in full; and
2. the Landlord withdraws his application in full; and
3. the Landlord retains the \$375.00 security deposit; and
4. the Landlord will provide the Tenant's representative (as named on the first page of this decision) with \$431.00 (the amount in the utility fund) , today at 1:00 p.m. at the designated location; the representative will show the Landlord his identification and sign for receipt of the funds; and
5. in consideration for this mutual settlement the parties agree that no further claims will be made by either party whatsoever arising from this tenancy.

Conclusion

As no further action is required on these files, the files are closed.

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: April 21, 2011.

Residential Tenancy Branch