



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, MND, MNSD, FF

### Introduction

This matter dealt with an application by the Landlord for an Order of Possession and a Monetary Order for unpaid rent, for compensation for damage to the unit, site or property, to recover the filing fee for this proceeding and to keep the Tenants' security deposit in partial payment of those amounts.

The Landlord said he served the Tenants with the Application and Notice of Hearing (the "hearing package") by personal delivery on June 15, 2011. Based on the evidence of the Landlord, I find that the Tenants were served with the Landlord's hearing package as required by s. 89 of the Act and the hearing proceeded with both the Tenant and the Landlord in attendance.

At the start of the conference call, the Landlord said the parties had reached an agreement between themselves and he requested the agreement be recorded as a settle between the parties. Pursuant to section 63 of the Act the parties have reached an agreement to settle these matters, on the following conditions:

1. The Tenant and the Landlord agreed the Landlord would keep the Tenant's security deposit of \$450.00 as partial payment of the unpaid rent.
2. The Tenant said she would pay the balance of the rent owing in the amount of \$340.00 by July 15, 2011. This amount was determined as a result of a previous dispute resolution hearing when the June, 2011 rent was set at \$790.00. The balance of June rent owing then is \$790.00 less the security deposit of \$450.00 leaving \$340.00 of rent owing for June, 2011.
3. The Tenant also said she agreed to pay the Landlord's filing fee for this proceeding in the amount of \$50.00 by July 15, 2011.

In summary the Tenant agreed to pay the Landlord \$390.00 on or before July 15, 2011 and the Tenant agreed to the Landlord retaining her security deposit of \$450.00. The Landlord agreed this would be full satisfaction for his application for dispute resolution dated June 14, 2011.

As no further action is required on this file, the file is closed.

This settlement 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*.

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Residential Tenancy Branch