



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MND MNSD MNDC FF

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord to obtain a Monetary Order for damage to the unit, site or property, to keep all or part of the security deposit, for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, and to recover the cost of the filing fee from the Tenant for this application.

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

### Issue(s) to be Decided

1. Has the Tenant breached the *Residential Tenancy Act*, regulation or tenancy agreement?
2. If so, have the Landlords met the burden of proof to obtain a Monetary Order?

### Background and Evidence

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

### Analysis

The parties agreed to settle this matter on the following terms:

- 1) The Landlord agrees to withdraw her application for dispute resolution; and
- 2) The Landlord will retain the security deposit of \$645.00 plus any accrued interest; and
- 3) The Tenant agrees to pay the Landlord \$1,100.00 in the form of eleven post dated cheques, each in the amount of \$100.00 dated for the 20<sup>th</sup> of each month beginning September 20, 2011; and

- 4) The Tenant agrees to have these post dated cheques mailed to the Landlord so that the Landlord receives all the post dated cheques no later than September 10<sup>th</sup>, 2011.

In support of the settlement agreement I will issue the Landlord a Monetary Order in the amount of \$1,100.00 so that in the event the Tenant does not uphold her agreement the Landlord may enforce the Monetary Order.

#### Conclusion

The Landlord's decision will be accompanied by a Monetary Order in the amount of **\$1,100.00**. This Order is legally binding and must be served upon the Tenant if it is going to be enforced.

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: August 24, 2011.

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Residential Tenancy Branch