

## **DECISION**

Dispute Codes      MNDC, MNSD, FF, AAT, AS

There are applications filed by both parties. The Landlord has applied for a monetary order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, to keep all of the security deposit and recovery of the filing fee. The Tenant has applied for an order to allow the Tenant access to (or from) the unit, to allow the Tenant to assign or sublet because the Landlord's permission has been unreasonably withheld and recovery of the filing fee.

Both parties attended the hearing by conference call and gave testimony.

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:

Both parties agree that the Tenant upon receipt of this decision shall make payment of \$1,142.50 to the Landlord in 4 monthly installments for the 1<sup>st</sup> of each month, starting on September 1, 2011 in the form of post dated cheques. The first installment shall be \$242.50 and then thereafter \$300.00 each for the remainder. The Tenant shall surrender all rights to the \$725.00 security deposit currently held by the Landlord. The Landlord is granted a monetary order to reflect this settlement.

the above particulars comprise full and final settlement of all aspects of the dispute arising from these applications for both parties.

Should it be necessary, this order may be served on the Tenant, 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: August 17, 2011.

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Residential Tenancy Branch