



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, MNDC, MND, MNR, FF, O

### Introduction

This hearing was convened in response to an application by the Tenant and an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

The Tenant applied on June 20, 2011 for:

1. A Monetary Order for compensation or loss - Section 67;
2. An Order for the return of the security deposit - Section 38; and
3. An Order to recover the filing fee for this application - Section 72.

The Landlord applied on July 5, 2011 for:

1. A Monetary Order for damage to the unit - Section 67;
2. A Monetary Order for unpaid rent or utilities - Section 67;
3. An Order to keep all or part of the security deposit - Section 38; and
4. Other.

The Tenant and Landlord were each given full opportunity to be heard, to present evidence and to make submissions.

### Background and Evidence

The Tenant and Landlord reached an agreement to settle the dispute. During the Hearing the Parties requested that this agreement be recorded as a decision.

### Issue(s) to be Decided

Are the Parties entitled to have their settlement agreement recorded as a decision?

### Analysis

Section 63 of the Act is set out as follows:

- (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order.

Given the authority under the Act, the Parties desire to settle their dispute during the proceedings, and the agreement reached between the Parties, I find that the Parties have settled their dispute and the following records this settlement as a decision:

**The Parties mutually agree as follows:**

- 1. The Landlord will keep at the security deposit.**
- 2. Neither Party will pursue their claims as set out in the applications.**
- 3. These terms comprise the full and final settlement of all aspects of this dispute for both parties.**

### Conclusion

The Parties have resolved the dispute as set out on the mutually agreed upon terms and the applications for dispute resolution are therefore dismissed.

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: September 19, 2011.

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Residential Tenancy Branch