



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MND, MNDC, MNR, MNSD, FF

### Introduction

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

1. A Monetary Order for unpaid rent - Section 67;
2. A Monetary Order for damage to the unit – Section 67;
3. A Monetary Order for compensation for damage or loss – Section 67;
4. An Order to retain the security deposit - Section 38; and
5. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing. At the outset, both Parties indicated their desire to reach an agreement to resolve the dispute and during the Hearing did reach a settlement agreement.

### Agreed Facts

The tenancy began on May 6, 2010 and ended on July 4, 2011. Rent in the amount of \$725.00 was payable in advance on the first day of each month. At the outset of the tenancy, the Landlord collected a security deposit from the Tenant in the amount of \$362.50 and over a period of time the Tenant paid a pet deposit in the amount of \$150.00.

### Settlement Agreement

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 agreement reached between the parties during the proceedings, I find that the parties have settled their dispute over the monetary amount owing and the following records this settlement as a decision:

**The Parties mutually agree as follows:**

- 1. The Landlord will retain the amount of \$382.50 from the security and pet deposit in full satisfaction of the claims contained in the application for dispute resolution.**
- 2. The Landlord will return the amount of \$130.00 remaining from the security and pet deposit to the Tenant forthwith.**
- 3. The Tenant will obtain a monetary order for the above amount of \$130.00. If necessary, this order may be filed in the Small Claims Court and enforced as an order of that Court.**
- 4. 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 above on the mutually agreed upon terms.

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: October 18, 2011.

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Residential Tenancy Branch