



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND MNR 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, 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.

The parties appeared at the teleconference hearing, acknowledged receipt of evidence submitted by the Landlord, gave affirmed testimony, were provided the opportunity to present their evidence orally, in writing, in documentary form, and to cross exam each other.

Issue(s) to be Decided

1. Have the Landlords met the burden of proof to obtain a Monetary Order?

Background and Evidence

The Tenant affirmed that he was in agreement to pay the Landlord for the following items being claimed:

\$850.00 in accumulated unpaid rent up to January 2010

\$214.00 in cleaning costs

\$325.00 liquidated damages

\$ 50.00 filing fee

\$1,439.00 Total amount due to the Landlord

The parties agreed to settle this matter and advised that they had come to a previous agreement whereby the Tenant provided written permission to allow the Landlord to apply his security deposit of \$422.50 towards the debt. Between September 30, 2011 and January 31, 2012 the Tenant has made payments towards the debt in the total amount of \$325.00.

Analysis

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

- 1) The Tenant agrees to pay the Landlord the balance owing of **\$691.50** (\$1,439.00 – 422.50 security deposit - \$325.00 previously paid); and
- 2) The Tenant agrees to make monthly payments towards the \$691.50 owing in the amount of \$75.00 per month; and
- 3) In support of this settlement agreement the Landlord will be issued a monetary order in the amount of \$691.50.

Conclusion

The Landlord's decision will be accompanied by a Monetary Order in the amount of **\$691.50**. This Order is legally binding and must be served upon the Tenant.

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: February 17, 2012.

Residential Tenancy Branch