



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MNSD

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking a monetary order.

The hearing was conducted via teleconference and was attended by the tenant and three of his advocates and two agents for the landlord.

At the outset of the hearing it was noted that the tenant had named a former agent of the landlord as the landlord however the agents for the landlord in attendance at the hearing confirmed the name of the landlord and I amend the tenant's Application to show the correct landlord name.

Issue(s) to be Decided

The issues to be decided are whether the tenant is to a monetary order for return of the security deposit; and for the return of rent due to a fire in the residential property pursuant to Sections 38, 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

During the hearing the parties came to the following settlement agreement:

1. The tenant withdraws his Application for Dispute Resolution;
2. The landlord agrees to return the tenant's security deposit of \$300.00;
3. The landlord agrees to return rent of \$535.56 paid by the tenant for the month of November 2011 less the rate for two days \$35.70 prior to the fire for a total of \$499.86;

Conclusion

In support of this settlement agreement and with agreement of both parties I grant a monetary order in the amount of **\$799.86**.

This order must be served on the landlord. If the landlord fails to comply with this order the tenant may file the order in the Provincial Court (Small Claims) and be 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: April 18, 2012.

Residential Tenancy Branch