



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

This conference call hearing was convened in response to the tenant's application for the return of double the amount of the security deposit, and to recover the filing fees associated with this application.

Both parties attended the hearing and provided affirmed testimony. They were given a full opportunity to be heard, to present evidence and to make submissions.

Issue(s) to be Decided

Is the tenant entitled to the return of the security deposit as claimed?

Is the tenant entitled to recover the filing fee?

Background and Evidence

The rental unit consists of an apartment in a multi-unit complex. The tenancy started on November 1st, 2005 and ended March 31st, 2010. The rent was \$1243.00 per month and the tenant paid a security deposit of \$500.00 which, with accrued interest totalled \$569.47.

During the hearing the parties exchanged views on some of the circumstances surrounding the dispute and undertook to achieve a resolution. Matters discussed included the circumstances under which the tenancy ended; the condition of the unit

and the parties' respective actions; and of particular concern, the tenant's subsequent dealings and status with a collections agency.

Analysis

Section 63 of the *Residential Tenancy Act* provides for the parties to resolve their dispute during the dispute resolution proceedings. Accordingly, the parties have agreed to the following:

- The landlord will contact the collections agency to remove any claim the landlord filed against the tenant in this matter.
- The landlord will provide the tenant and the collections agency with a letter of apology.
- The landlord will refund the tenant with \$150.00 in satisfaction of the tenant's claim for the return of the security deposit.
- The above particulars comprise full and final settlement of all aspects of the dispute before me, for both parties, concerning this tenancy.

Conclusion

I hereby issue the tenant a Monetary Order totalling \$150.00. If necessary, This Order may be registered 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: April 19, 2012.

Residential Tenancy Branch