



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNSD, FF

Introduction

This hearing was scheduled in response to the tenant's Application for Dispute Resolution, in which the tenant has made application for a monetary Order for return of the security deposit and to recover the filing fee from the landlord for the cost of this Application for Dispute Resolution.

Both parties were present at the hearing. At the start of the hearing I introduced myself and the participants. The hearing process was explained, evidence was reviewed and the parties were provided with an opportunity to ask questions about the hearing process. They were provided with the opportunity to submit documentary evidence prior to this hearing, all of which has been reviewed, to present affirmed oral testimony and to make submissions during the hearing.

Mutual Agreement

The parties agreed to the following:

- A 6 month fixed-term tenancy commenced on July 27, 2011;
- The 2 co-tenants paid a deposit in the sum of \$575.00 plus a \$250.00 pet deposit;
- That the tenant gave notice to end her tenancy effective February 1, 2012, the end of the fixed-term;
- That her co-tenant remained in the unit and has continued a tenancy with the landlord;
- That by April, 2012, the tenant had given the landlord her written forwarding address requesting return of the pet deposit, which she had paid;
- That a move-in condition inspection was completed in 2011;
- That a condition inspection report was not completed when the tenant ended her co-tenancy; and
- That the occupant who remained in the unit has entered into a new tenancy and that the landlord is holding a deposit in the sum of \$575.00 in that name of that occupant.

The landlord agreed to return the pet deposit to the tenant and, based upon this mutual agreement; a monetary Order is issued to the tenant in the sum of \$250.00. Therefore,

I Order the landlord to return the pet deposit to the tenant, in the sum of \$250.00 and that the deposit of \$575.00 is to be held in trust in relation to the tenancy created with the 2nd co-tenant effective February 1, 2012.

Conclusion

Based on these determinations I grant the tenant a monetary Order in the sum of \$250.00. In the event that the landlord does not comply with this Order, it may be served on the landlord, filed with the Province of British Columbia 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: June 06, 2012.

Residential Tenancy Branch