



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNSD, FF

Introduction

This hearing concerns the tenant's application for a monetary order as compensation for the double return of the security deposit / and recovery of the filing fee. Both parties participated in the hearing and gave affirmed testimony.

Issue(s) to be Decided

Whether the tenant is entitled to the above under the Act, Regulation or tenancy agreement.

Background and Evidence

There is no written tenancy agreement in evidence for this tenancy which began on November 15, 2010 and ended on or about April 1, 2012. Monthly rent was \$500.00 and a security deposit of \$250.00 was collected. There was neither a move-in nor a move-out condition inspection report completed with the participation of both parties. The tenant requested the return of her security deposit at the end of tenancy, and provided her forwarding address in writing by leaving it on the counter adjacent to the kitchen sink. However, to date the security deposit has not been returned.

During the hearing the parties undertook to resolve the dispute.

Analysis

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: www.rto.gov.bc.ca

Section 63 of the Act speaks to the **Opportunity to settle dispute**. Pursuant to this provision, discussion between the parties during the hearing led to a resolution and it was specifically agreed as follows:

RECORD OF SETTLEMENT

- that the landlord will pay the tenant \$300.00, and that a monetary order will be issued in favour of the tenant to that effect;
- that the above payment is comprised of the original security deposit of \$250.00, in addition to the \$50.00 filing fee;
- that the above payment will be by cheque;
- that the cheque will be put into the mail by no later than midnight, Friday, June 29, 2012;
- that the above particulars comprise full and final settlement of the dispute which is currently before me.

Conclusion

Pursuant to section 67 of the Act, I hereby issue a **monetary order** in favour of the tenant in the amount of **\$300.00**. Should it be necessary, this order may be served on the landlord, filed 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: June 25, 2012.

Residential Tenancy Branch