



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** MND, MNSD, MNDC, FF

### **Introduction**

This hearing dealt with applications by the landlord and the tenant, pursuant to the *Residential Tenancy Act*. The landlord applied for a monetary order for the cost of repairs, the filing fee and to retain the security deposit in partial satisfaction of his claim. The tenant applied for a monetary order for clean up and restoration of the rental unit, for the return of double the security deposit and for the filing fee.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

### **Issues to be decided**

Has the landlord established a claim for a monetary order? Is the landlord entitled to keep the security deposit or has the tenant established a claim for its return? Is the tenant entitled to a monetary order for the restoration of the rental unit?

### **Background and Evidence**

The tenancy started on March 25, 2011 and ended on March 31, 2012. At the start of the hearing the parties informed me that they had reached an agreement to settle their dispute, prior to calling into the conference call. The parties wanted to formalize their agreement by way of a written decision and a monetary order.

### **Analysis**

Pursuant to Section 63 of the *Residential Tenancy Act*, the dispute resolution officer may assist the parties settle their dispute and if the parties settle their dispute, the settlement may be recorded in the form of a decision or an order.

The parties reached an agreement to settle these matters, on the following conditions:

1. The landlord agreed to pay the tenant \$1,942.00 in full settlement of his claim against the tenant.
2. The tenant agreed to accept \$1,942.00 in full settlement of his claim against the landlord. A monetary order will be issued in favour of the tenant for this amount.
3. Both parties agreed that the above particulars comprise **full and final settlement** of all aspects of the dispute for both parties.

### **Conclusion**

Pursuant to the above agreement, I grant the tenant a monetary order under section 67 of the *Residential Tenancy Act* for the amount of **\$1,942.00**. This order may be 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 12, 2012.

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Residential Tenancy Branch