



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant for an order for the return of the security deposit.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions at the hearing.

Preliminary Issue

The tenant testified that she agreed at the move-out inspection in writing that the landlord could retain \$115.00 from the deposit to have the carpets cleaned. Filed in evidence is a copy of the move-out inspection.

The tenant testified the landlord has returned the security deposit, however, as the cheque issued also included the co-tenant (DP) names, the bank will not cash the cheque. The tenant stated she is requesting the landlord issue a new cheque to her, in her name.

SETTLEMENT AGREEMENT

During the hearing, the parties agreed to settle these matters, on the following conditions:

- 1) The landlord will provide a new cheque to the tenant (JW) for the full amount of the security deposit, less the carpet cleaning;
- 2) The tenant agrees that the landlord has fulfilled their legal obligation relating the refund of the full amount of the security deposit in respect of this particular tenancy.
- 3) The parties agreed this settlement agreement releases the landlord from any further liability regarding the co-tenants and this tenancy agreement.
- 4) The tenant (JW) acknowledges any further dispute regarding the security deposit, is between her and the other co-tenant (DP).

Conclusion

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

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: August 01, 2012.

Residential Tenancy Branch