



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD RPP MNDC FF

Preliminary Issues

Upon review of the Tenant's application for dispute resolution the Tenant confirmed he was seeking monetary compensation for his personal property that the Landlord disposed of and for the return of a portion of his security deposit. He acknowledged that he had chosen a dispute order for the return of his possessions and requested that his application be amended to include a request for money owed or compensation for damage or loss under the Act.

I note that the Tenant listed \$528.45 as his request for a monetary order on the application form and in the details of dispute he indicated he was seeking recovery for the items which the Landlord disposed of. Based on the aforementioned I find the Landlord was advised of the Tenant's intent to seek monetary compensation and I approve his request to amend his application, pursuant to section 64 (3)(c) of the Act.

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant for the return of the Tenant's personal property, for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, the return of his security deposit, and to recover the cost of the filing fee from the Landlord for this application.

The parties appeared at the teleconference hearing, acknowledged receipt of evidence submitted by the other and gave affirmed testimony. During the hearing each party was given the opportunity to provide their evidence orally and respond to each other's testimony. A summary of the testimony is provided below and includes only that which is relevant to the matters before me.

Issue(s) to be Decided

1. Is the Tenant entitled to a Monetary Order?

Background and Evidence

The parties agreed they entered into a fixed term tenancy agreement that began on August 1, 2008 and switched to a month to month tenancy after July 31, 2009. Rent was payable on the first of each month in the amount of \$838.00 and on July 12, 2008 the Tenant paid \$390.00 as the security deposit. A condition inspection report was completed at the beginning of the tenancy however no move out condition inspection and no report were completed.

During the course of the hearing the parties agreed to settle these matters.

Analysis

The parties agreed to settle these matters on the following terms:

- 1) The Tenant agrees to withdraw his application for dispute resolution; and
- 2) The Landlord agrees to pay the Tenant \$450.45 as full satisfaction of the Tenant's claim.

The Tenant will be issued a Monetary Order in support of this settlement agreement.

Conclusion

The Tenant has been issued a Monetary Order in the amount of **\$450.45**. This Order is legally binding and must be served upon the Landlord.

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: July 03, 2012.

Residential Tenancy Branch