



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

For the landlords: MND MNR MNSD

For the tenant: MNSD

Introduction

This hearing dealt with an Application for Dispute Resolution under the *Residential Tenancy Act* (the “Act”) by both parties.

The tenant applied for return of all or part of the security deposit and pet damage deposit. The landlords applied for a monetary order for damage to the unit, site or property, for unpaid rent or utilities, and to keep all or part of the pet damage deposit or security deposit.

The landlords and the tenant appeared at the hearing, 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 to me.

Settlement Agreement

Section 63 of the *Act*, states:

Opportunity to settle dispute

- 63** (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or an order.

During the hearing, the parties agreed to settle all of their matters, on the following conditions:

- 1) The tenant agrees that the landlords may retain the tenant's \$400.00 pet damage deposit towards damage to the rental unit.
- 2) The landlords agree to return the tenant's \$400.00 security deposit by **November 13, 2012** via registered mail.
- 3) The tenant waives her right towards any additional compensation towards the security deposit and pet damage deposit under the *Act*.
- 4) The parties agree that this settlement agreement resolves all outstanding disputes regarding this tenancy.

Conclusion

I grant the tenant a monetary order in the amount of \$400.00. Should the landlords fail to return the tenant's \$400.00 security deposit by November 13, 2012, the tenant must serve the landlords with the monetary order. The monetary order may be filed in the Provincial Court (Small Claims) and enforced as an order of that court. The monetary order will have no force and effect once the landlords have returned the tenant's security deposit as described above.

For the benefit of both parties, I am including a copy of *A Guide for Landlords and Tenants in British Columbia* with my Decision.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: October 25, 2012

Residential Tenancy Branch