



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND MNR MNSD FF

Introduction

This hearing was convened as a result of the landlord's application for dispute resolution under the *Residential Tenancy Act* (the "Act"). The landlord applied for a monetary order for unpaid rent or utilities, for damage to the unit, site or property, authorization to keep all or part of the security deposit, and to recover the filing fee.

An agent for the tenant and an agent for landlord attended the hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

Both parties confirmed receiving the evidence package from the other party and had the opportunity to review it prior to the hearing. I find the parties were served in accordance with the *Act*.

Procedural Matter

At the start of the hearing, both parties requested to remove one of the respondents, IH, who had not lived in the rental unit since 2008, and whose whereabouts was not known. The request was granted by consent of the parties.

Settlement Agreement

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

1. The parties agree that the tenant owes the landlord **\$638.78** comprised of the following:

Unpaid rent for February 2012	\$850.00
February 2012 late fee	\$20.00
February parking (consisting of 1 parking space at \$10.00 and the second parking space at \$20.00)	\$30.00
Carpet cleaning	\$84.00
Drape/Blind cleaning	\$25.00
General suite cleaning	\$48.00
Filing fee	\$50.00
Subtotal	\$1,107.00
<i>Less security deposit of \$425.00 and key fob deposit of \$40.00 with interest of \$3.22</i>	<i>(\$468.22)</i>
TOTAL	\$638.78

2. The landlord is authorized to keep the tenant's full security deposit with interest in the amount of \$468.22 in partial satisfaction of their claim.
3. The landlord is granted a monetary order for the remaining balance owing by the tenant in the amount of **\$638.78**.

Conclusion

By mutual agreement, I grant the landlord a monetary order in the amount of **\$638.78** pursuant to section 67 of the *Act*. This order may be filed in the Provincial Court (Small Claims) and enforced as an order of that court.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. 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 29, 2012

Residential Tenancy Branch