



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

Tenant's Application: CNC, CNR, MNDC, OLC, ERP, ERP, PSF, RPP, LRE, RR, FF, O

Landlord's Application: OPR, OPC, OPB, MND, MNR, MNSD, MNDC, FF

Introduction

This hearing dealt with cross applications. The hearing commenced on October 23, 2012 and reconvened on November 29, 2012. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

At the beginning of the hearing I determined that the tenant has since vacated the rental unit thereby resolving many of the issues identified on the Applications. The only issues to resolve pertained to the monetary claims filed by each of the parties.

Both parties provided a considerable amount of testimony and written submissions with respect to the monetary claims; however, after both parties had an opportunity to be heard the parties indicated a willingness to resolve these disputes by way of a settlement agreement. I have recorded the settlement agreement by way of this decision and the Monetary Order that accompanies it.

Issue(s) to be Decided

What are the terms of the settlement agreement?

Background and Evidence

The parties mutually agreed upon the following settlement agreement in full and final satisfaction of these Applications and any other dispute related to this tenancy:

1. The landlord shall retain one-half of the security deposit; and,
2. The landlord shall return one-half of the security deposit, or \$212.50 to the tenant without delay.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record a settlement agreement in the form of a decision or order.

I have recorded the settlement agreement by way of this decision and have provided the tenant with a Monetary Order in the amount of \$212.50 to ensure the settlement agreement is fulfilled.

I have accepted the settlement agreement reached by the parties during this hearing and make the terms an Order to be binding upon both parties. The parties are now precluded from filing any future Application for Dispute Resolution against the other party with respect to this tenancy.

Conclusion

The parties reached a settlement agreement. The tenant is provided a Monetary Order in the amount of \$212.50 in recognition of the terms of settlement.

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: November 29, 2012.

Residential Tenancy Branch