



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND 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 damage to the unit, site or property, authorization to retain the security deposit, and to recover the filing fee.

An agent and case manager for the tenants and two agents for the 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.

The agent for the tenants confirmed receipt of the evidence package from the landlord and that the tenants had the opportunity to review the evidence prior to the hearing. I find the tenants were served in accordance with the *Act*.

Settlement Agreement

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

1. The parties agree that the tenants damaged the rental unit in the amount of \$2,355.22 comprised of \$168.00 for drapery cleaning, \$1,599.22 for depreciated carpet replacement, and \$588.00 for depreciated rental unit painting.
2. The parties agree that the tenants will pay the filing fee of \$50.00
3. The total amount owing of \$2,405.22 will be reduced to **\$1,504.22** as the landlord will retain the full security deposit of \$865.00 which includes a \$40.00 key deposit.

5. The parties agree that the tenants will pay the landlord within 15 days of receiving this decision.
6. The parties agree that the landlord will be granted a monetary order in the amount of **\$1,504.22** which will be of no force or effect once the tenants have paid the amount as described in #4 above.
7. The landlord agrees to withdraw their application in full as part of this mutually settled agreement, and that this agreement represents a full and final settlement of all matters related to this tenancy.

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

Conclusion

I grant the landlord a monetary order in the amount of **\$1,504.22** which will be of no force or effect if the amount owing has been paid in accordance with the above terms.

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: December 03, 2012

Residential Tenancy Branch