



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant to obtain a Monetary Order for the return of double her 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. At the outset of the hearing I explained how the hearing would proceed and the expectations for conduct during the hearing, in accordance with the Rules of Procedure. Each party was provided an opportunity to ask questions about the process however each declined and acknowledged that they understood how the conference would proceed.

Issue(s) to be Decided

Have the parties agreed to settle these matters?

Background and Evidence

The parties entered into a month to month tenancy that began on September 1, 2011 and ended on September 4, 2012. Rent was payable on the first of each month in the amount of \$950.00 and in mid August 2011 the Tenant paid \$475.00 as the security deposit. No condition inspections were completed and on September 14, 2012 the Tenant provided the Landlord her forwarding address over the telephone. The Landlord returned \$337.00 of the security deposit keeping \$138.00.

During the course of this proceeding 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 her application; and

- 2) The Landlord agrees to pay the Tenant \$138.00 as full satisfaction of her claims; and
- 3) The parties agree that they will not bring forth future claims against each other pertaining to this tenancy.

As the Tenant has withdrawn her application she must bear the burden of the filing fee.

Conclusion

The parties agreed to settle this matter in accordance with section 63 of the *Residential Tenancy Act*.

The Tenant has been issued a Monetary Order in the amount of \$138.00. In the event the Landlord does not comply with the settlement agreement the Tenant may serve the Landlord with the Monetary Order which can be enforced through Provincial Court.

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: December 17, 2012.

Residential Tenancy Branch