



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNSD, FF

Introduction

This hearing dealt with an application by the tenant for a monetary order for the return of double the security and pet deposits and the recovery of the filing fee. Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Issue to be Decided

Is the tenant entitled to the return of double the security and pet deposits? Is the tenant entitled to the recovery of the filing fee?

Background and Evidence

The tenancy started on October 15, 2011. Prior to moving in the tenant paid a security deposit of \$475.00 and a pet deposit of \$475.00. The tenant moved out on September 30, 2012.

During the hearing the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the Arbitrator may assist the parties settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

During this hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. The tenant agreed to accept \$950.00 in full settlement of her claim for the return of the security and pet deposits under section 38. A monetary order will be issued in favour of the tenant for this amount.
2. The landlord agreed to pay \$950.00 in full settlement of the deposits and agreed not pursue any further claims against the tenant with regard to the rental unit.
3. The parties stated that they understood and agreed that the above particulars comprise full and final settlement of all aspects of the dispute for both parties.

Conclusion

As this dispute was resolved by mutual agreement and not based on the merits of the case, I decline the tenant's request to recover the filing fee paid for this application.

Pursuant to the above agreement, I grant the tenant a monetary order under section 67 of the *Residential Tenancy Act* for the amount of **\$950.00**. This order may be filed in the Small Claims Court and enforced as an order of that 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: January 08, 2013.

Residential Tenancy Branch

