



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD and FF

Introduction

This hearing was convened on the tenant's application of November 21, 2012 seeking a Monetary Order for return of her security and pet damage deposit in double on grounds that the landlord had not returned them or made application to claim against them within 15 days of the latter of the end of the tenancy or receipt of the tenants' forwarding address. The tenant also sought to recover the filing fee for this proceeding from the landlord.

Issue(s) to be Decided

Is the tenant entitled to a Monetary Order for return of the security deposit and should the amount be doubled as required by section 38(6) of the *Act*.

Background and Evidence

This tenancy began on August 1, 2010 and ended on or about July 31, 2012. Rent was \$1,200 per month and the landlord holds security and pet damage deposits of \$600 each paid at the beginning of the tenancy.

Section 63 of the Act provides that:

- 1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or an order.

Settlement Agreement

During the present hearing, the parties did elect to settle this dispute between them as follows:

1. The parties agree that the landlord will return \$600 of the deposits to the tenant and will retain \$600 against damages and cleaning of the rental unit;
2. This agreement constitutes full and final settlement of all matters pertaining to the tenancy and the parties agree that neither will bring any further action against the other pertaining to this tenancy.

This agreement is final and binding.

Conclusion

The tenants' copy of this decision is accompanied by a Monetary Order for **\$600.00**, enforceable through the Provincial Court of British Columbia, for service on the landlord if payment is not made within a reasonable time.

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: February 26, 2013

Residential Tenancy Branch

