



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MND, FF.

Introduction

This hearing dealt with applications by the landlord, pursuant to the *Residential Tenancy Act*. The landlord applied for a monetary order for the cost of repairs, loss of income and for the recovery of the filing fee.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to a monetary order to recover the cost of repairs, loss of income and the filing fee?

Background and Evidence

The tenancy started on September 01, 2011 for a fixed term of five years. The monthly rent was \$1,650.00 and prior to moving in the tenant paid a security deposit of \$825.00 and a pet deposit of \$300.00. The tenant moved out on September 30, 2012.

The landlord's claim was discussed at length. 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 hearing, 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 allow the landlord to keep the security deposit of \$825.00 and the pet deposit of \$300.00.
2. The tenant agreed to pay the landlord an additional sum of \$1,500.00 in full and final settlement of all claims against the landlord.
3. The landlord agreed to accept the security deposit, pet deposit plus an additional \$1,500.00 from the tenant in full and final settlement of all claims against the tenant.
4. A monetary order will be issued in favour of the landlord in the amount of \$1,500.00.
5. 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

Pursuant to the above agreement, the landlord may retain the security and pet deposits and I grant the landlord a monetary order under section 67 of the *Residential Tenancy Act* for the amount of **\$1,500.00**. 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: February 21, 2013

Residential Tenancy Branch

