



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MND, MNDC, MNR, MNSD

Introduction

This hearing dealt with an application by the landlord, pursuant to the *Residential Tenancy Act*. The landlord applied for a monetary order for loss of income and to retain the security deposit in satisfaction of his claim.

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?

Background and Evidence

The tenancy started on August 01, 2012. The monthly rent was \$800.00. Prior to moving in the tenant paid a security deposit of \$600.00. On August 11, the tenant gave notice to end the tenancy effective August 31, 2011.

The landlord's claim was discussed at length. The tenant also referred to a verbal agreement by which the landlord agreed to cover the cost of painting supplies. 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 \$600.00.
2. The tenant agreed to accept \$150.00 in full settlement of her claim for painting supplies.
3. The landlord agreed to accept the security deposit, in full and final settlement of all claims against the tenant.
4. The landlord agreed to pay the tenant \$150.00 for painting supplies
5. A monetary order will be issued in favour of the tenant in the amount of \$150.00.
6. 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 deposits and I grant the tenant a monetary order under section 67 of the *Residential Tenancy Act* for the amount of **\$150.00**. 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: March 08, 2013

Residential Tenancy Branch

