



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, OPL, MNR, MNSD, MNDC, FF, O

Introduction

This matter dealt with an application by the Landlord for an Order of Possession and a Monetary Order for unpaid rent, for compensation for loss or damage under the Act or tenancy agreement, to recover the filing fee for this proceeding, to keep the Tenant's security deposit in partial payment of those amounts and for other considerations.

The Landlord said he served the Tenant with the Application and Notice of Hearing (the "hearing package") by registered mail on April 29, 2013. Based on the evidence of the Landlord, I find that the Tenant was served with the Landlord's hearing package as required by s. 89 of the Act and the hearing proceeded with both parties in attendance.

At the start of the conference call the Landlord said the Tenant moved out of the rental unit therefore he does not need an Order of Possession as he applied for. The Landlord said he withdraws the request for an Order of Possession.

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

1. the Landlord and the Tenant both agreed the Landlord would retain the Tenant's security deposit of \$525.00 and the Tenant's piano deposit of \$200.00 as full settlement of the Landlord's application and claims against the Tenant.

Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 of the Act the Landlord and the Tenant agreed to the above arrangement.

As no further action is required on this file, the file is closed.

Conclusion

The Landlord and the Tenant agree that the Landlord will retain the Tenant's security deposit of \$525.00 and the deposit paid to use the piano of \$200.00 as full settlement of the Landlord's application and claims against the Tenant.

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: May 27, 2013

Residential Tenancy Branch

