



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNDC, MNSD, FF

Introduction

This was a hearing with respect to the landlord's application for a monetary order and an order to retain the security deposit. The hearing was conducted by conference call. The landlord and the tenant called in and participated in the hearing and the named party also attended on behalf of the landlord

Issue(s) to be Decided

Is the landlord entitled to a monetary award and if so, in what amount?

Background and Evidence

When the landlord purchased the rental property in November, 2011 the tenant was living in the rental unit. The landlord and the tenant entered into a new tenancy agreement and the tenant paid the landlord a security deposit of \$275.00. The tenancy ended at the end of January, 2013. The landlord claimed compensation in the amount of \$380.00 for damage to a hardwood floor in the rental unit. The landlord testified that the damage exceeded normal wear and tear. The tenant disagreed; she said that scratches in the floor did amount to normal wear and tear.

During the hearing I offered the parties the opportunity to discuss a settlement of the landlord's claim. The landlord and the tenant agreed to a settlement. The agreement reached was that the landlord would retain the sum of \$200.00 from the tenant's security deposit and he would return the balance of \$75.00 to the tenant. The parties requested that I give effect to the settlement by incorporating the terms of the settlement into a decision and order that will be binding upon the parties.

Conclusion

Pursuant to the agreement made between the applicant and the respondent I order that the landlord retain the sum of \$200.00 from the security deposit that he holds, in full and final satisfaction of any and all claims arising out of the tenancy and its termination and I grant the tenant a monetary order for the balance of her deposit in the amount of \$75.00. This order may be registered in the Small Claims Court and enforced as an order of that court. Because this matter has been settled by agreement between the parties I make no order with respect to the filing fee for this application.

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 02, 2013

Residential Tenancy Branch

