



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes:

MNSD, FF

### Introduction

This hearing was scheduled in response to the tenant's Application for Dispute Resolution, in which the tenant has requested a monetary Order for return of the security deposit and to recover the filing fee from the landlord for the cost of this Application for Dispute Resolution.

Both parties were present at the hearing. At the start of the hearing I introduced myself and the participants. The hearing process was explained and the parties were provided with an opportunity to ask questions about the hearing process. No written evidence submissions were made.

### Mutually Settled Agreement

The parties agreed that the tenancy commenced on April 15, 2012 and that a deposit in the sum of \$300.00 had been paid. There was no evidence before me that the tenant gave the landlord his written forwarding address when he ended the tenancy in February 2013.

The landlord said they did not receive a written address; only a phone number.

The landlord offered to return the deposit to the tenant; the tenant accepted this offer and will pick up a cheque from the landlord, on this date, after 5 p.m.

Therefore, based on the mutual agreement of the parties, pursuant to section 63(2) of the Act, I find that the tenant is entitled to return of the deposit in the sum of \$300.00. A monetary Order has been issued to the tenant; that Order will not be enforceable once payment of the deposit has been made.

Based on these determinations I grant the tenant a monetary Order in the sum of \$300.00. In the event that the landlord does not comply with this Order, it may be served on the landlord, filed with the Province of British Columbia Small Claims Court and enforced as an Order of that Court

Conclusion

The landlord and tenant reached a mutual agreement that the deposit will be returned to the tenant.

The tenant has been issued a monetary Order.

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

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Residential Tenancy Branch

