



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

Tenant's Application filed December 20, 2012: MNSD; FF

Landlord's Application filed March 25 and amended April 17, 2013: MND; MNSD; FF

Introduction

This teleconference was scheduled to hear the Tenant's adjourned Application for return of the security deposit and to recover the filing fee from the Landlord. The Tenant's application was originally set for Hearing on March 22, 2013. The time allotted for the Hearing ran out before the matter could be fully heard. An Interim Decision was provided on April 10, 2013, which should be read in conjunction with this Decision.

The Hearing was conducted via teleconference and was attended by both parties, who gave affirmed testimony.

Preliminary Matters

At the Hearing on March 22, 2013, the Landlord was given leave to file a cross application and the parties were both provided directions with respect to service of the documents. During the course of the Hearing, it was discovered that the Landlord filed an Application for Dispute Resolution which was scheduled to be heard on June 26, 2013 at 9:00 a.m. The Landlord's Application seeks a monetary award for damages; to retain the security deposit in partial satisfaction of her monetary award; and to recover the cost of the filing fee from the Tenant.

The Tenant admitted service of the Landlord's Notice of Hearing for June 26, 2013, a copy of her Application for Dispute Resolution and documentary evidence. The parties agreed to have both matters heard today.

The parties entered into settlement discussions and reached a settlement agreement.

Pursuant to the provisions of Section 63 of the Act and at the request of the parties, I have hereby recorded the terms of the settlement.

1. The Tenant withdraws his Application for Dispute Resolution filed December 20, 2012.
2. The Landlord withdraws her Application for Dispute Resolution filed March 25 and amended April 17, 2013.
3. This settlement agreement is made in full and final settlement of all outstanding issues surrounding this tenancy.
4. The Landlord will return \$300.00 of the Tenant's security deposit to the Tenant forthwith.

Conclusion

In support of this settlement agreement, I hereby provide the Tenant with a Monetary Order in the amount of \$300.00 against the Landlord. This Order may be filed in the Provincial Court of British Columbia and enforced as an Order of that Court.

As both matters have settled, I have cancelled the Hearing scheduled for June 26, 2013 at 9:00 a.m.

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: June 06, 2013

Residential Tenancy Branch