



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNSD and FF

Introduction

This hearing was convened on the landlords' application of April 3, 2013 seeking a monetary award for damage to the rental unit, recovery of the filing fee for this proceeding and authorization to retain the tenants' security deposit in set off against the balance owed.

Issue(s) to be Decided

This matter requires a decision on whether the landlord is entitled to monetary award for the claims submitted and in what amounts.

Background, Evidence and Analysis

This tenancy began on October 1, 2007 and ended on February 28, 2013. Rent was \$800 per month and the landlords hold a security damage of \$400 paid on September 17, 2007. The landlords received the tenants' forwarding address on March 22, 2013 and made application within the 15 days granted under section 38(1) of the *Act*.

Settlement Agreement

Section 63 of the *Act* provides that the arbitrator may offer the parties the opportunity to settle their dispute by consent agreement and record their agreement in the form of a decision or order.

In the present matter, the parties did choose to come to agreement under the following terms:

1. The tenant agrees that the landlords are entitled to retain \$300 of the security deposit and to return the remaining \$100 plus accrued interest of \$7.76.
2. This agreement is binding and constitutes full and final settlement of the matters in dispute.

Conclusion

By agreement, the landlords are authorized to retain \$300 of the tenants' security deposit and will return the balance of \$107.76 including interest.

The tenants' copy of this decision is accompanied by a Monetary Order, enforceable through the Provincial Court of British Columbia for \$107.76 for service on the landlords if payment is not made within a reasonable time.

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 26, 2013

Residential Tenancy Branch

