



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNSD, MNDC, FF

Introduction

This hearing dealt with an application by the tenant for a monetary order for the return of double the security deposit, for compensation pursuant to a notice to end tenancy for landlord use of property and for the recovery of the filing fee. Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Issue to be Decided

Is the tenant entitled to the return of double the security deposit and the remainder of her monetary claim?

Background and Evidence

The tenancy started on December 01, 2012 for a fixed term of one year. Prior to moving in the tenant paid a security deposit of \$750.00 and a pet deposit of \$120.00. On December 27, 2012, the landlord gave the tenant a notice to end tenancy for landlord's use of property. The tenant moved out on January 30, 2013 and provided the landlord with her forwarding address on March 03, 2013.

During the hearing, the tenant's claim was discussed at length and the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the Arbitrator may assist the parties settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision and/or an order.

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

1. The tenant agreed to accept \$1,790.00 in full settlement of her monetary claim against the landlord.
2. The landlord agreed to return this amount to the tenant in two installments of \$870.00 on or before August 15, 2013 and \$920.00 on or before September 15, 2013.
3. Both parties stated that they understood and agreed that the above particulars comprise full and final settlement of all aspects of the dispute for both parties.

Conclusion

Pursuant to the above agreement, I grant the tenant a monetary order under section 67 of the *Residential Tenancy Act* for the amount of **\$1,790.00**. This order may be filed in the Small Claims Court and enforced as an order of that Court.

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: July 19, 2013

Residential Tenancy Branch

