



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC, MNSD, FF

### Introduction

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* for Orders as follows:

1. A Monetary Order for compensation - Section 67;
2. An Order for the return of the security deposit - Section 38; and
3. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing.

### Preliminary Matter

During the Hearing the parties confirmed that the security deposit was returned in full to the Tenant and the Tenant withdrew its claim for its return. The Tenant claimed compensation for the cost of the photos however as the Act only provides for recovery of the filing fee and no other costs associated with the dispute process itself, this claim is dismissed. During the Hearing, the Parties reached a settlement of the dispute.

### Settlement Agreement

Section 63 of the Act is set out as follows:

- (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order.

Given the authority under the Act, the Parties desire to settle the remaining items under dispute during the proceedings, and agreement reached between the Parties during the proceedings, I find that the Parties have settled the remaining items in dispute and the following records this settlement as a decision:

**The Parties mutually agree as follows:**

- 1. The Landlord will pay to the Tenant the sum of \$1,825.00;**
- 2. These terms comprise the full and final settlement of all aspects of this dispute for both parties.**

In order to give effect to the agreement, the Tenant is provided with a monetary order for \$1,825.00.

Conclusion

The Parties have resolved the dispute as set out on the above mutually agreed upon terms.

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: August 13, 2013

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Residential Tenancy Branch