



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *MND, MNDC, MNSD, FF.*

Introduction

This hearing dealt with applications by the landlord and the tenant, pursuant to the *Residential Tenancy Act*.

The landlord applied for a monetary order for the cost of repairs and cleaning, loss of income and for the recovery of the filing fee. The tenant applied for the return of double the security deposit, compensation and for the filing fee.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to a monetary order to recover the cost of repairs and cleaning, loss of income and for the recovery of the filing fee? Is the tenant entitled to the return of double the security deposit, compensation and the filing fee?

Background and Evidence

The tenancy started on March 15, 2012 for a fixed term ending on March 30, 2014. The tenant gave written notice on July 27, 2013 and moved out that same day. The monthly rent was \$1,600.00 and the landlord has in his possession \$775.00 for a security deposit. The claims of both parties were discussed at length. During the hearing 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 hearing, the settlement may be recorded in the form of a decision or an order.

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

1. The tenant agreed to allow the landlord to keep the security deposit
2. The tenant agreed to pay the landlord an additional sum of \$900.00 towards the landlord's claim, in full and final settlement of all claims against the landlord.
3. The landlord agreed to accept the security deposit plus an additional \$900.00 from the tenant as full and final settlement of all claims against the tenant. A monetary order in this amount will be issued in favour of the landlord.
4. 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.

Pursuant to the above agreement, I grant the landlord a monetary order under section 67 of the *Residential Tenancy Act* for the amount of \$900.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

I grant the landlord a monetary order in the amount of \$900.00.

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: September 17, 2013

Residential Tenancy Branch

