



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding David Burr Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNSD, FF

### Introduction:

The tenants have made a monetary claim for recovery of double the security and key deposit and for compensation as a result of pain and suffering. The landlord has a potential claim for loss of revenue and carpet cleaning expenses as a result of the tenants' breach of a fixed term tenancy.

### Facts:

Both parties attended a conference call hearing. A twelve month fixed-term tenancy began on September 1, 2012 with rent in the amount of \$ 1,250.00 due in advance on the first day of each month. The tenants paid a security deposit of \$ 600.00 and key deposits totalling \$255.00 at the beginning of the tenancy. . The tenants moved out on May 31, 2013.

### Settlement:

The parties settled this matter and they have asked that I record the agreement pursuant to section 63(2) as follows:

- a. In satisfaction for all claims the landlord and tenants now have or may have arising from this tenancy the parties agree that the landlord will be permitted to retain the tenants' security deposit amounting to \$ 600.00,
- b. The parties agree that the landlord shall pay the tenants the balance of their key deposits which together with interest totals \$ 255.00, and
- c. In consideration for this mutual settlement the parties agree that no further claims will be made by either party whatsoever arising from this tenancy.

### Conclusion:

As a result of the settlement I ordered that the landlord retain the tenants' security deposit amounting to \$ 600.00 and I granted the tenants a monetary Order in the

amount of \$ 255.00 representing the return of their key deposits. This order may be filed in the Small Claims Court and enforced as an order of that Court. There shall be no order as to reimbursement of the filing fee. I have dismissed all other claims made by the tenants.

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 16, 2013

---

Residential Tenancy Branch

