



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD and FF

Introduction

By application of May 13, 2013, the tenant sought a Monetary Order for return of his security deposit in double under section 38(6) of the *Act*. Neither party called in to the number provided to enable their participation in the telephone conference call proceeding which was held open for 10 minutes.

This tenancy was the subject of a hearing on May 22, 2013 on the landlord's application for a monetary award for rent for the tenant over holding, including a request to retain the security deposit in set off.

During that hearing, the parties reached a settlement agreement under which the landlord would return the security deposit and one-half of the filing fee, a total of \$825, to the tenant. The tenant was issued a Monetary Order for that amount and the parties further agreed that the payment would constitute full and final settlement of all claims from both parties.

The tenant agreed to cancel the present hearing, but did not do so. Therefore, this application is dismissed without leave to reapply as *res judicata* (previously decided.)

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 15, 2013

Residential Tenancy Branch