



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

I find that the Application for Dispute Resolution/Notice of Hearing was sufficiently served by mailing, by registered mail to where the landlord resides on September 25, 2013. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the tenants are entitled to a monetary order and if so how much?
- b. Whether the tenant is entitled to recover the cost of the filing fee?

Background and Evidence

The parties entered into a written tenancy agreement that provided that the tenancy would start on July 1, 2012 payable on first day of each month. The tenant(s) paid a security deposit of \$1000 at the start of the tenancy.

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The tenancy ended on June 18, 2013. The landlord returned \$760 of the security deposit on June 27, 2013. The tenant(s) provided the landlord with his/her their forwarding address in writing on June 19, 2013. The tenants claim the sum of \$911 including the balance of the security deposit, the cost of cleaning when they moved in and the cost of prescription drugs. The landlord disputes the tenant's claims and alleged that he had the right to retain the portion of the security deposit. The landlord has not yet filed an Application for Dispute Resolution.

Settlement:

During the hearing the parties reached a settlement and they asked that I record the settlement pursuant to section 63(2) of the Residential Tenancy Act as follows:

- a. The landlords shall pay to the Tenants the sum of \$240.
- b. This is a full and final settlement and each party releases and discharges the other from all further claims with regard to this tenancy.

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial 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: November 13, 2013

Residential Tenancy Branch

