



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNR, MNSD, MNDC, FF

Introduction

This was a hearing with respect to the landlord's application for a monetary order and an order to retain the tenants' security deposit in partial satisfaction of the monetary claim. The hearing was conducted by conference call. The landlord and the tenants called in and participated in the hearing.

Issue(s) to be Decided

Is the landlord entitled to a monetary award and if so, in what amount?

Background and Evidence

The tenancy began in October 2012 and ended in August 2013. The landlord has claimed amounts for cleaning and repairs and for loss of rent for September. I heard testimony from the landlord and from the tenants and during the hearing, I offered the parties an opportunity to discuss a settlement of the matters in dispute in the landlord's application

Analysis

As a result of their settlement discussions the landlord and the tenants agreed to a settlement of all matters in dispute relating to the tenancy and to the landlord's claim. The tenants agreed that the landlord may retain the tenant's security deposit of \$375.00 and they agreed to pay the landlord an additional \$1,078.00 in full and final satisfaction of the landlord's claims in this proceeding and the landlord agreed to accept the said sum in settlement of this proceeding.

Conclusion

Pursuant to the parties' request that I incorporate their settlement agreement into the terms of a binding decision and order, I grant the landlord a monetary award in the amount of \$1,453.00. I order that the landlord retain the \$375.00 security deposit that he holds in partial satisfaction of this award and I grant the landlord an order under section 67 for the balance of \$1,078.00. This order may be filed in the Small Claims 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 15, 2013

Residential Tenancy Branch

