



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

And

RECORD OF SETTLEMENT

Dispute Codes:

MNSD, FF

Introduction

This hearing was convened in response to an application by the tenant pursuant to the *Residential Tenancy Act* (the Act) for Orders as follows:

1. For the return of the tenant's security and pet damage deposits - Section 38;
2. A Monetary Order inclusive of compensation as prescribed by Section 38(6) of the Act - Section 67;
3. An Order to recover the filing fee for this application - Section 65.

The tenant provided evidence they served both respondents and landlords to this dispute, however only counsel for one of the respondents - DL - appeared in this hearing.

During the course of the hearing the parties discussed their dispute and confirmed they agreed to settle all issues in dispute related to this application to the full satisfaction of both parties, and the respective claim of the tenant; and, that I record their settlement as per Section 63 of the *Residential Tenancy Act*. Respondent's counsel testified they were authorized to agree as follows, based on the tenant's agreement to amend their claim to not seeking *double* the deposit amounts.

1. The tenant agrees waiving any entitlement to compensation as prescribed by the *doubling* provisions of Section 38(6) of the Act.
2. Both parties agree the landlord will pay the tenant the sum amount of **\$1807.00** representing the return of the tenant's original deposits totalling \$1700.00, and the filing fee of \$50.00, and the tenants' registered mail costs totalling \$57.00.

Conclusion

I grant the tenant a **Monetary Order** under Section 67 of the Act for the agreed amount of **\$1807.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

This Decision and Settlement is final and binding on both parties.

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: December 04, 2013

Residential Tenancy Branch

