



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNSD, MNDC, FF

Introduction

This hearing was convened by way of conference call in response to an application made by the landlord for a Monetary Order relating to: damage to the unit, site or property; for money owed or compensation for damage or loss under the *Residential Tenancy Act* (referred to as the “Act”), regulation or tenancy agreement; to keep all or part of the pet damage or security deposit; and to recover the filing fee from the tenant for the cost of the application.

The landlord and the tenant appeared for the hearing and no issues in relation to the service of hearing documents and evidence under the Act for this hearing were raised by either party.

Analysis & Conclusion

Pursuant to section 63 of the Act, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

After a lengthy discussion between the parties surrounding the circumstances of the dispute, both parties **agreed** to settle the landlord’s application in full under the following terms:

1. The tenant consents to the landlord keeping the tenant’s security deposit of \$487.50.
2. The landlord agreed to return the tenant’s pet damage deposit of \$487.50 to the tenant forthwith upon receipt of this decision.

3. As a precautionary measure, the tenant is issued with a Monetary Order in the amount of \$487.50, which the tenant can serve to the landlord **if** the landlord fails to make the above payment in accordance with this agreement.

Both parties are cautioned to keep detailed written records of any transactions that are made with regards to the above terms of the agreement.

For the reasons set out above, I hereby grant the tenant a Monetary Order in the amount of **\$487.50**.

This order is final and binding on the parties and may be enforced.

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: January 22, 2014

Residential Tenancy Branch

