



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNSD, FF
 MNSD, FF

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution (the “Application”) made by both the Tenant and the Landlord.

The Landlord applied for a Monetary Order for damage to the rental unit and to keep the Tenant’s security deposit. The Tenant applied for the return of double the amount of the security deposit. Both parties also applied to recover the filing fee for the cost of making their Application.

Both parties appeared for the hearing and provided affirmed testimony during the hearing as well as documentary evidence in advance of the hearing.

However, after some lengthy submissions by both parties regarding the service of the Notice of Hearing documents, the completion of the reporting requirements of the Act and the manner in which the tenancy was ended, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of both disputes.

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.

Both parties **agreed** to settle their respective disputes in full as follows:

- The Tenant consented to the Landlord deducting \$225.00 from the Tenant’s security deposit of \$550.00.

- The Landlord will return the remaining balance to the Tenant in the amount of \$225.00 forthwith.
- This is in **full** satisfaction of the Tenant's **and** the Landlord's Applications.
- The Tenant is issued with a Monetary Order in the amount of \$225.00 which is enforceable in the Small Claims court **if** the Landlord fails to make payment.
- The Landlord is cautioned to ensure that documentation is retained in relation to any payments made.

This agreement and order is fully binding on the parties and is in **full and final** satisfaction of **all** the issues associated with the tenancy.

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: June 04, 2014

Residential Tenancy Branch

