



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes:**

MNSD, FF

### **Introduction**

This hearing was scheduled in response to the tenant's Application for Dispute Resolution, in which the tenant has requested return of the balance of the security deposit and to recover the filing fee from the landlord for the cost of this Application for Dispute Resolution.

Both parties were present at the hearing. At the start of the hearing I introduced myself and the participants. The hearing process was explained, evidence was reviewed and the parties were provided with an opportunity to ask questions about the hearing process. They were provided with the opportunity to submit documentary evidence prior to this hearing, all of which has been reviewed, to present affirmed oral testimony and to make submissions during the hearing.

### **Mutually Settled Agreement**

After over 1 hour of hearing time the parties reached a mutually settled agreement.

The landlord agreed that she would return the sum of \$204.71 to the tenant, as the balance of the deposit owed to the tenant.

The tenant agreed that return of this sum takes into account the landlord's right to retain a \$25.00 move-out fee and \$80.00 for damage caused to the strata common area elevator wall.

### ***Opportunity to settle dispute***

- 63** (1) *The director may assist the parties, or offer the parties an opportunity, to settle their dispute.*
- (2) *If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or an order.*

Therefore, in support of the mutually settled agreement I find and Order that the tenant is entitled to return of the balance of the security deposit in the sum of \$204.71, in satisfaction of the tenant's claim.

Based on these determinations I grant the tenant a monetary Order in the sum of \$204.71. In the event that the landlord does not comply with this Order, it may be served on the landlord, filed with the Province of British Columbia Small Claims Court and enforced as an Order of that Court.

### Conclusion

The parties reached a mutually settled agreement as set out above.

The tenant has been issued a monetary Order in support of the mutual agreement.

This decision is final and binding and 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: July 25, 2014

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Residential Tenancy Branch

