



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNSD, MNDC, FF

Introduction

This hearing dealt with an application by the tenant for a monetary order for the return of the security and pet deposits, for compensation pursuant to a notice to end tenancy for landlord's use of property and for the recovery of the filing fee. Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Issue to be Decided

Is the tenant entitled to the return of the security and pet deposits and the remainder of her monetary claim?

Background and Evidence

The tenancy started on November 01, 2011. Prior to moving in the tenant paid a security deposit of \$425.00 and a pet deposit of \$400.00. On September 18, 2013, the landlord sent the tenant an email giving the tenant notice to end tenancy for landlord's use of property. The tenant moved out on October 31, 2013.

During the hearing, the tenant's claim was discussed at length and the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the Arbitrator may assist the parties 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 and/or an order.

During this hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. The tenant agreed to accept \$1,425.00 in full settlement of her monetary claim against the landlord.
2. The landlord agreed to pay to the tenant \$1,425.00 in full and final settlement of all claims against the tenant.
3. Both parties stated that they understood and agreed that the above particulars comprise full and final settlement of all aspects of the dispute for both parties.

Conclusion

Pursuant to the above agreement, I grant the tenant a monetary order under section 67 of the *Residential Tenancy Act* for the amount of **\$1,425.00**. 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: January 08, 2015

Residential Tenancy Branch

