



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Sahar Investments Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

### **Dispute Codes:**

**MND, MNR, MNDC, MNSD, FF**

### **Introduction**

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has requested compensation for damage to the rental unit, unpaid rent, damage or loss under the Act, to retain the security deposit and to recover the filing fee from the tenant 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. I have considered all of the evidence and testimony provided.

### **Mutually Settled Agreement**

At the start of the hearing I established a claim had been made, set out as follows: \$18.25 garbage fees; \$50.00 labour; and \$35.00 July rent.

No other detailed calculation of the \$217.45 claim was provided as part of the application.

The parties determined they could reach a mutually settled agreement that allows the landlord to retain \$103.25 from the security deposit; plus the \$50.00 filing fee.

The landlord agreed the tenant would be entitled to return of the balance of the \$210.00 security deposit paid on October 1, 2004 plus \$7.45 interest.  
The parties understood that an Order would be issued, in support of the mutually settled agreement.

### ***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, I find that the landlord is entitled to compensation in the sum of \$153.25 and I Order the landlord to return the balance of the security deposit and interest in the sum of \$64.20 to the tenant.

Based on these determinations I grant the tenant a monetary Order in the sum of \$64.20. 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.

A finding and Order was issued in support of the mutual agreement.

This decision and mutually settled agreement 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: March 03, 2015

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Residential Tenancy Branch

