



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding HOLYWELL PROPERTIES, AGENT
and [tenant name suppressed to protect privacy]

DECISION AND RECORD OF SETTLEMENT

Dispute Codes

MNSD MNDC MND FF

Introduction

This hearing was convened in response to an application by the landlord for a Monetary Order and to retain the tenant's deposits in partial satisfaction of their monetary claims, and recover the filing fee.

Both parties attended the conference call hearing and each provided their submissions of evidence and their testimony, and were permitted to discuss their dispute.

Issue(s) to be determined

Is the landlord entitled to the monetary amount claimed?

Background and Evidence

This tenancy began September 01, 2013 and ended July 31, 2014. Rent was in the amount of \$1250.00 per month. At the outset of the tenancy the landlord collected a security deposit and a pet damage deposit in the sum of \$1250.00 which the landlord retains in trust.

During the course of the hearing, the parties discussed their dispute and turned minds to compromise. The parties reached agreement - confirmed they were choosing to settle this matter *in full satisfaction of the landlord's claim* and *in full and mutual satisfaction of all matters* respecting or arising from this tenancy between the parties *for all time* on the following conditions; and, at their request that I record the parties' settlement as per Section 63 of the Act as follows.

1. The tenant and landlord agree that the landlord will retain \$650.00 from the tenant's deposits and return to the tenant the balance of **\$600.00**.

So as to perfect this agreement, the tenant will receive a **Monetary Order** in the agreed amount owed by the landlord. If the parties act on their agreement and the landlord pays the tenant the agreed amount, the Monetary Order automatically becomes null and of no effect.

Conclusion

I grant the tenant a **Monetary Order** under Section 67 of the Act in the amount of **\$600.00**. The tenant is being given this Order. If the landlord does not pay the tenant the agreed amount, the tenant may serve the Order on the landlord. If necessary, the Order may be filed in Small Claims Court and enforced as an order of that court.

This Decision and Settlement is final and binding on both parties.

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: April 21, 2015

Residential Tenancy Branch

