



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNR, MND, MNDC, MNSD, FF

Introduction

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the "Act") for Orders as follows:

1. A Monetary Order for unpaid utilities - Section 67;
2. A Monetary Order for damages to the unit – Section 67;
3. A Monetary Order for compensation for loss – Section 67;
4. An Order to retain the security deposit - Section 38; and
5. An Order to recover the filing fee for this application - Section 72.

The Landlord and Tenant were each given full opportunity under oath to be heard, to present evidence and to make submissions. During the Hearing the Parties reached an agreement to resolve the dispute.

Agreed Facts

The tenancy started on April 28, 2012 and ended on August 31, 2014. Rent of \$1,400.00 was payable monthly. At the outset of the tenancy the Landlord collected \$700.00 as a security deposit and \$700.00 as a pet inspection. Both a move-in and move-out inspection was conducted and the reports completed.

Settlement Agreement

Section 63 of the Act is set out as follows:

- (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 order.

Given the authority under the Act and the agreement reached between the Parties during the proceedings, I find that the Parties have settled their dispute and the following records this settlement as a decision:

The Parties mutually agree as follows:

- 1. The Tenant is liable to the Landlord for \$4,437.33, comprised of \$44.76 for oven rings, 105.00 for carpet cleaning, 373.37 for utilities, 3,029.25 and 784.95 for flooring, and 100.00 for painting;**
- 2. The Landlord will retain the combined security and pet deposit of \$1,400.00 plus zero interest in partial satisfaction of the Tenant's liability;**
- 3. The Tenant will pay the remaining amount of \$3,037.33 to the Landlord; and**
- 4. These terms comprise the full and final settlement of all aspects of this dispute for both parties.**

In order to give effect to this agreement, I provide the Landlord with a monetary order for \$3,037.33.

Conclusion

The dispute has been settled as set out above.

I grant the Landlord an order under Section 67 of the Act for **\$3,037.33**. If necessary, 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: April 08, 2015

Residential Tenancy Branch

