



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, MNSD, FF (Landlord's Application)
 MNSD, FF (Tenants' Application)

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution (the "Application") made by both the Tenants and the Landlord.

The Landlord applied for a Monetary Order for damage to the rental unit and to keep the Tenants' security and pet damage deposits. The Tenants applied for the return of the security and pet damage deposits. Both parties also applied for the recovery of the filing fee for the cost of making their Application.

Both parties appeared for the hearing and provided affirmed testimony during the hearing. The parties were invited to make opening submissions and arguments regarding their Applications. After these were made, I provided the parties an opportunity to settle both Applications in full and final satisfaction by mutual agreement.

The parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and decided that resolution was best in this matter by way of settlement. It was made clear during the hearing and at the conclusion of the hearing that if the parties were to reach a settlement agreement, this would not be reflective or indicative of any blame or responsibility on any of the parties for the issues associated with this tenancy. Furthermore, I did not make any legal findings on the Applications.

Analysis & Conclusion

Pursuant to Section 63 of the Act, the Arbitrator may assist the parties to 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 or an order.

Both parties **agreed** to settle their respective disputes **in full** as follows:

- The parties agreed that they will split the total amount of the \$900.00 pet damage and security deposits in half.
- Therefore, as the Landlord retains the Tenants' total deposits, the Landlord will retain \$450.00 and will return the other \$450.00 back to the Tenants after receipt of this decision.
- The Tenants confirmed that the Landlord may send the money to the Tenants' address as recorded and confirmed on the Landlord's Application.
- The Landlord is cautioned to ensure that documentation is retained in relation to any payments made.

This agreement is fully binding on the parties and is in full and final satisfaction of **all** the issues associated with the tenancy. No further Applications are permitted and these files are now closed.

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: May 26, 2015

Residential Tenancy Branch

