



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding COLLIERS INTERNATIONAL  
and [tenant name suppressed to protect privacy]

## **Dispute Codes:**

MNSD, MNDC, FF

## **Introduction**

This hearing dealt with an application by the tenant for a monetary order for the return of double the security deposit, for compensation pursuant to a notice to end tenancy for landlord 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 double the security deposit and the remainder of his monetary claim?

## **Background and Evidence**

The tenancy started in August 2013 and ended in August 2014. Prior to moving in the tenant paid a security deposit of \$687.50. A move out inspection was conducted and the landlord made a deduction off the security deposit without the consent of the tenant. The landlord returned \$530.00 to the tenant within 15 days of receiving the tenant's forwarding address.

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 \$3,438.00 in full settlement of his monetary claim against the landlord.
2. The landlord agreed to pay the tenant \$3,438 in full settlement of all claims against the tenant.
3. A monetary order will be granted in the favour of the tenant for \$3,438.00.
4. 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 **\$3,438.00**. 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: May 14, 2015

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Residential Tenancy Branch

