



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, MND, MNSD & MNDC

Introduction

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

I find that the Application(s) for Dispute Resolution/Notice of Hearing filed by each party was sufficiently served on the other. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the landlord is entitled to a monetary order and if so how much?
- b. Whether the landlord is entitled to retain all or a portion of the security deposit/pet deposit?
- c. Whether the landlord is entitled to recover the cost of the filing fee?
- d. Whether the tenants are entitled to a monetary order and if so how much?
- e. Whether the tenants are entitled to recover the cost of the filing fee(s)?

Background and Evidence

The parties entered into a written tenancy agreement that provided that the tenancy would start on September 1, 2014. The tenancy agreement provided that the tenant(s) would pay rent of \$1100 per month payable on the first day of each month. The tenants paid a security deposit of \$550 and a pet damage deposit of \$200 prior to the start of the tenancy.

The tenancy ended on February 28, 2015.

The Application for Dispute Resolution filed by the landlord claims the sum of \$436 plus the \$50 filing fee.

The tenants filed an Application for Dispute Resolution claiming \$2200 for the breach of the covenant enjoyment and a second Application for Dispute Resolution claiming the return of the security deposit and pet damage deposit.

Settlement:

At the end of the hearing the parties reached a settlement and they asked that I record the settlement pursuant to section 63(2) of the Residential Tenancy Act as follows:

- a. The landlord shall pay to the tenants the sum of \$775.
- b. This is a full and final settlement and each party releases and discharges the other from all further claims with regard to this tenant.

Monetary Order

As a result of the settlement I ordered that the landlord pay to the Tenant the sum of \$775. All other claims in the respective Application for Dispute Resolution are dismissed.

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial 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: August 14, 2015

Residential Tenancy Branch

