



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *MNSD, OLC, RP, RR, FF*

Introduction

This hearing dealt with an application by the tenant, pursuant to the *Residential Tenancy Act*, for a monetary order for the return of double the security deposit, for compensation, for a rent reduction and for the recovery of the filing fee. The tenant also applied for an order directing the landlord to comply with the *Act*. Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

The parties acknowledged receipt of evidence submitted by the other and gave affirmed testimony. The tenant informed me that he had moved out of the rental unit on July 30, 2015 and therefore he withdrew the portions of his application that were no longer relevant. Accordingly this hearing only dealt with the tenant's application for a monetary order.

Issues to be Decided

Is the tenant entitled to the return of double the security deposit and utility costs? Is the tenant entitled to the recovery of the filing fee?

Background and Evidence

The tenancy started on July 01, 2014 a fixed term of one year. Prior to moving in the tenant paid a security deposit of \$550.00 and a pet deposit of \$400.00. The rent of \$1,100.00 did not include utilities. The tenant paid a fixed amount and then covered the difference upon receipt of the hydro bill.

The tenancy ended on July 30, 2015 but the tenant made this application prior to that date. The landlord returned a portion of the deposits and a portion of utilities that the tenant had overpaid.

During the hearing 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 hearing, the settlement may be recorded in the form of a decision 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 the cheque provided by the landlord prior to this hearing and an additional \$200.00 in full and final settlement of all claims against the landlord. A monetary order will be issued to the tenant for this amount.
2. The landlord agreed to pay the tenant an additional \$200.00 in full and final settlement of all claims against the tenant.
3. Both parties stated that they understood and agreed to the above terms of this agreement which comprise full and final settlement of all aspects of this 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 **\$200.00**. 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: September 22, 2015

Residential Tenancy Branch

