



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding HOMELIFE GLENAYRE REALTY CHILLIWACK LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNR MNSD FF

Introduction

This hearing was convened as a result of the landlord's application for dispute resolution under the *Residential Tenancy Act* (the "Act"). The landlord applied for a monetary order for unpaid rent or utilities, to retain all or part of the tenants' security deposit, and to recover the cost of the filing fee.

Tenant K.M. (the "tenant") and an agent for the landlord (the "agent") attended the teleconference hearing. The parties gave affirmed testimony and had the hearing process explained to them.

The tenant testified that she received the landlord's Application and documentary evidence prior to the hearing and that she had the opportunity to review those documents. I find the tenants were sufficiently served in accordance with the *Act*.

Settlement Agreement

During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The tenants agree that they owe the landlord \$470.97 which includes unpaid utilities and the \$50 filing fee and that the amount of \$470.97 may be deducted from their \$700 security deposit which has accrued no interest to date. This leaves a balance owing by the landlord to the tenants in the amount of **\$229.03**.
2. The landlord agrees to return the \$229.03 remainder of the tenants' security deposit by cheque to the tenants by **December 11, 2015**.

3. The tenants are granted a monetary order pursuant to section 67 of the *Act*, which will be of no force or effect, if the landlord pays the tenants in accordance with #2 above, and the tenants successfully deposit the cheque from the landlord.
4. The parties agree that the tenants' \$700 pet damage deposit has already been returned in accordance with the *Act*.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement above.

The tenants are granted a monetary order pursuant to section 67 of the *Act*, which will be of no force or effect, if the landlord pays the tenants in accordance with #2 above. Should the tenants require enforcement of the monetary order, the monetary order must be served on the landlord and may be filed in the Provincial Court (Small Claims) and enforced as an order of that court.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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: December 4, 2015

Residential Tenancy Branch

