



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *MND, MNSD, FF.*

Introduction

This hearing dealt with applications by the landlord and the tenant, pursuant to the *Residential Tenancy Act*.

The landlord applied for a monetary order to recover the cost of replacing blinds and for the filing fee. The tenant applied for the return of partial rent for July, for the return of double the security deposit and for the filing fee.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Issues to be decided

Is the landlord entitled to a monetary order? Is the tenant entitled to a monetary order and to the return of double her security deposit?

Background and Evidence

The tenancy started in February 2011 and ended on June 30, 2015. The monthly rent was \$700.00 and prior to moving in the tenant paid a security deposit of \$350.00.

The tenant stated that she provided her forwarding address to the landlord on July 08, 2015 and the landlord denied having received it. The tenant did not provide evidence to support her testimony. The landlord stated that the tenant damaged the blinds and the tenant denied having done so and stated that the blinds were damaged by the heat from the heating unit installed on the wall, directly below the blinds.

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 landlord agreed to pay the tenant \$350.00 in full and final settlement of all claims against the tenant.
2. The tenant agreed to accept \$350.00 from the landlord in full and final settlement of all claims against the landlord. A monetary order in favour of the tenant for this amount will be granted to the tenant.
3. The 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.

As this dispute was resolved by mutual agreement and not based on the merits of the case, both parties must bear the cost of filing their own application.

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 **\$350.00**. 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: December 16, 2015

Residential Tenancy Branch

