



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

This hearing was convened in response to an application by the Tenants pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order for the return of the security deposit - Section 38;
2. An Order to recover the filing fee for this application - Section 72; and
3. Other.

The Landlord and Tenant were each given full opportunity under oath to be heard, to present evidence and to make submissions. The Parties indicated at the onset of the hearing that they had additional claims against each other and wished to resolve their dispute including these additional claims by mutual agreement during the hearing. After some discussion the Parties reached a settlement agreement as set out below.

Agreed Facts

The tenancy started in February 2015 on a fixed term and in May 2015 this agreement was replaced with a month to month agreement. The tenancy ended on July 3, 2015. Rent of \$1,600.00 was payable monthly on the first day of each month. At the outset of the tenancy the Landlord collected \$800.00 as a security deposit.

Settlement agreement

The Parties mutually agree as follows:

- 1. The Landlord will retain the security deposit plus zero interest of \$800.00;**
- 2. The Tenants will pay the Landlord \$800.00 no later than March 1, 2016;**

- 3. The Landlord and Tenants have no further claims against each other and will not in the future make any claims against each other in relation to the tenancy; and**
- 4. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63 of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the settlement may be recorded in the form of a decision or order. Given the above settlement of the dispute between the Parties during the hearing, I find that the Parties have settled their dispute as recorded above.

Conclusion

The dispute is settled.

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 03, 2015

Residential Tenancy Branch

