



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

The Application for Dispute Resolution filed by the Tenant seeks the following:

- a. A monetary order in the sum of \$250 for return of the the security deposit.
- b. An order to recover the cost of the filing fee.

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 for Dispute Resolution/Notice of Hearing was served by mailing, by registered mail to where the landlord resides on August 31, 2015. 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 tenant is entitled to the return of double the security deposit/pet deposit?
- b. Whether the tenant is entitled to recover the cost of the filing fee?

Background and Evidence

The parties entered into a oral tenancy agreement that provided that the tenancy would start on August 1, 2015. The rent was to be \$550 per month. The tenant paid a security deposit of \$250. On July 26, 2015 the tenant advised the landlord she would not be moving in.

The tenant(s) provided the landlord with her their forwarding address in writing on August 5, 2015. The Application for Dispute Resolution filed by the tenant seeks a monetary order in the sum of \$250 plus the cost of the filing fee. At the hearing the tenant stated she was seeking the doubling of the security deposit.

The landlord alleged he lost rent for the month of August as the tenant failed to give him one month as required by the Residential Tenancy Act.

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 Tenant the sum of \$250.
- b. This is a full and final settlement and each party releases and discharges the other from all further claims with respect to this tenancy.

Monetary Order and Cost of Filing fee

As a result of the settlement I ordered that the landlord pay to the Tenant the sum of \$250 in full satisfaction of this claim.

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.

Dated: January 25, 2016

Residential Tenancy Branch

