Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   MNSD, MNDC, FF, O

Introduction

This hearing convened as a result of the Landlord's Application for Dispute Resolution wherein the Landlord requested a Monetary Order for money owed or compensation for damage or loss under the *Act,* regulation or tenancy agreement, to retain the security deposit, and to recover the filing fee.

Both parties appeared at the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

The parties agreed that all evidence that each party provided had been exchanged. No issues with respect to service or delivery of documents or evidence were raised.

Settlement

The parties resolved all matters by mutual agreement. Pursuant to section 33 of the *Residential Tenancy Act,* I incorporate the terms of their agreement into this my Decision as follows.

The parties agreed that the Landlord could retain the Tenants' security deposit of $400.00 as full and final satisfaction of any claim the Landlord may have against the Tenants in relation to the tenancy, and in particular, for compensation for the damage to the garage which occurred on or about March 2015.

The parties also agreed that the Landlord would not recover the $50.00 filing fee.

Conclusion

The parties resolved all matters by mutual agreement as follows: they agreed that the Landlord could retain the Tenants' $400.00 security deposit and the Landlord would not recover the $50.00 filing fee.

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: January 25, 2016

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Residential Tenancy Branch