



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, MND, MNSD & MNDC

Introduction

The Application for Dispute Resolution filed by the Tenants makes the following claims:

- a. A monetary order in the sum of \$1500 for double the security deposit.
- b. An order to recover the cost of the filing fee.

The Application for Dispute Resolution filed by the landlord makes the following claims:

- a. A monetary order in the sum of \$2686.82 for damages
- b. An order to keep the security deposit.
- c. 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 filed by the tenants was served on the landlord by mailing by registered mail on August 30, 2015 to where the landlord reside. I find that the Application for Dispute Resolution/Notice of Hearing filed by the landlord was served on the tenants by mailing, by registered mail to where the tenants reside on January 21, 2016

Issue(s) to be Decided:

The issues to be decided are as follows:

- a. Whether the tenants are entitled to a monetary order and if so how much?
- b. Whether the tenants are entitled to recover the cost of the filing fee?
- c. Whether the landlord is entitled to a monetary order and if so how much?
- d. Whether the landlord is entitled to retain all or a portion of the security deposit/pet deposit?
- e. Whether the landlord is entitled to recover the cost of the filing fee?

Background and Evidence

The parties entered into a written tenancy agreement that provided that the tenancy would start on June 1, 2011. The tenancy ended on July 1, 2015. The rent was \$1100 at the time the tenancy ended. The tenants paid a security deposit of \$550 and a pet damage deposit of \$200 for a total of \$750 at the start of the tenancy.

Settlement::

At the start 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 Tenants the sum of \$750.
- b. This is a full and final settlement and each party releases and discharges the other from all further claims with regard to this tenancy.

Monetary Order and Cost of Filing fee

As a result of the settlement I ordered the landlord to pay to the Tenants the sum of \$750. All other claims are dismissed without leave to re-apply.

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.

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: February 11, 2016

Residential Tenancy Branch

