



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MND, MNSD, FF

Introduction

This hearing dealt with an application by the landlord for an order allowing him to retain the security deposit towards the cost of cleaning and repairs. The landlord also applied for the recovery of 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 retain the security deposit in satisfaction of his claim for the cost of cleaning and repairs?

Background and Evidence

Both parties agreed that the tenancy started in May 2015 and the tenant paid a security deposit of \$675.00. The tenant moved out on August 31, 2015 and provided the landlord with a forwarding address. The landlord made this application in a timely manner.

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 tenant agreed to allow the landlord to keep \$350.00 of the security deposit in full and final settlement of all claims against the landlord.
2. The landlord agreed to accept \$350.00 in full and final settlement of all claims against the tenant and return \$325.00 to the tenant.
3. A monetary order in the amount of \$325.00 will be granted in favour of the tenant.
4. Both parties stated that they understood and agreed that the above particulars are binding and comprise full and final settlement of all aspects of the dispute for both parties.

Conclusion

Pursuant to the above agreement, I order the landlord to retain \$350.00 from the deposit in full settlement of his claim. I grant the tenant a monetary order in the amount of \$325.00

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: March 18, 2016

Residential Tenancy Branch