



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 353806 B.C. LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: *MNR, MNSD, FF*

Introduction

This hearing dealt with an application by the landlord for a monetary order for unpaid rent and for the filing fee. The landlord also applied to retain the security deposit. Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

The tenant acknowledged receipt of evidence submitted by the landlord. Both parties gave affirmed testimony.

Issues to be Decided

Is the landlord entitled to a monetary order to recover unpaid rent and for the recovery of the filing fee?

Background and Evidence

Both parties agreed that the tenancy started in September 2014, the rent was \$850.00 due on the first of each month and that the tenant paid a security deposit of \$425.00. The tenant agreed that on October 31, 2015 he gave the landlord written notice to end tenancy, with an effective move out date of November 15, 2015

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 retain the security deposit of \$425.00 and to pay the landlord an additional \$50.00 in full and final settlement of all claims against the landlord.
2. The landlord agreed to accept the security deposit of \$425.00 plus \$50.00 from the tenant in full and final settlement of all claims against the tenant.
3. A monetary order in the amount of \$50.00 will be issued in favour of the landlord.
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 grant the landlord a monetary order under section 67 of the *Residential Tenancy Act*, in the amount of \$50.00. This order may be filed in the Small Claims 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: June 23, 2016

Residential Tenancy Branch