



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

Dispute Codes FF, MNR, MND, MNSD & MNDC

Introduction

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

- a. A monetary order in the sum of \$1575 for unpaid rent and the failure to clean,
- b. An order to keep the security deposit.
- c. An order to recover the cost of the filing fee

The parties had just settled a hearing with respect to a tenancy at another location. They asked that this file be brought forward in order to attempt to settle the matter. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Issue(s) to be Decided

The issues to be decided are as follows:

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

Background and Evidence

The parties entered into a fixed term written tenancy agreement that provided that the tenancy would start on May 15, 2015 and end on December 15, 2015. The tenancy agreement provided that the tenant(s) would pay rent of \$1000 per month plus utilities payable in advance on the first day of each month. The tenant paid a security deposit of \$500 on April 15 2015. .

The landlord seeks an order to retain the security deposit of \$500. In addition the landlord claimed \$1575 for unpaid rent and damage to the property.

Settlement:

The parties has settled another matter relating to a different location and requested this matter be brought forward. 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 retain the security deposit of \$500.
- b. In addition the Tenant shall pay to the Landlord the sum of \$837.50.

- c. 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 shall retain the security deposit of \$500. In addition I ordered that the Tenant pay to the Landlord the sum of \$837.50.

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: June 02, 2016

Residential Tenancy Branch