



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes                      MNSD, MNDC, O

### Introduction

This hearing dealt with a tenant's application for a Monetary Order for return of the security deposit; and, damage or loss under the Act, regulations or tenancy agreement. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

The parties were in dispute as to whether the tenant's photographs had been served upon the landlord. I informed the parties that the photographs may be described to the landlord orally during the hearing and if I found it necessary and appropriate to order the photographs be served again I would consider it further during the hearing. It was not necessary to further consider this issue as the parties reached a settlement agreement, as described below.

At the outset of the hearing, the parties were in agreement that the landlord had returned the amount of \$1,075.00 to the tenant the amount identified as the "deposit" on the receipt issued November 3, 2015 within 15 days of receiving the tenant's forwarding address in writing. Accordingly, the tenant's request for return of the security deposit was resolved and the application amended accordingly.

The tenant also withdrew her request for compensation for cleaning after it was pointed out that compensation was given to the tenant at the start of the tenancy by way of a deduction from rent payable.

In light of the above, only one issue remained outstanding and that remaining issue was explored. After both parties had an opportunity to be heard, the parties reached a settlement agreement that I have recorded by way of this decision and Monetary Order that accompanies it.

### Issue(s) to be Decided

What are the terms of settlement?

### Background and Evidence

During the hearing, the parties reached the following settlement agreement:

1. The landlord shall pay to the tenant the sum of \$450.00.
2. Payment of the amount described above represents a full and final settlement of any and all claims the parties may have against each other with respect to this tenancy.

### Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record a settlement agreement in the form of a decision or order.

I have accepted and recorded the settlement agreement reached by the parties during this hearing and make the terms an Order to be binding upon both parties.

In recognition of the settlement agreement, I provide the tenant with a Monetary Order in the amount of \$450.00 to ensure the agreement is fulfilled.

For added certainty, both parties are now precluded from making any further claims against the other party with respect to this tenancy.

### Conclusion

The parties reached a settlement agreement that I have recorded by way of this decision. In recognition of the settlement agreement, the tenant is provided a Monetary Order in the amount of \$450.00 to serve and enforce if necessary.

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 07, 2016

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Residential Tenancy Branch

