



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD

Introduction

This hearing was convened to hear matters pertaining to an Application for Dispute Resolution filed by the Tenant on November 13, 2015. The Tenant filed seeking a \$120.00 monetary order for the return of double the balance of her security deposit.

The hearing was conducted via teleconference and was attended by the Landlord and the Tenant. Each person gave affirmed testimony. I explained how the hearing would proceed and the expectations for conduct during the hearing, in accordance with the Rules of Procedure. Each party was provided an opportunity to ask questions about the process however, each declined and acknowledged that they understood how the conference would proceed.

Issue(s) to be Decided

Have the parties agreed to settle these matters?

Background and Evidence

The Tenant had occupied the rental unit for approximately 1 ½ years. The Tenant paid a security deposit of either \$270.00 or \$250.00 when she moved into the building and that deposit was transferred to the last unit she occupied. The Tenant moved out of the rental unit sometime in May 2015 as the building was scheduled to be demolished.

During the course of this proceeding the parties agreed to settle these matters.

Analysis

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

During the hearing, the parties discussed the issues between them and achieved a resolution of their dispute on the following terms:

- 1) The Tenant agreed to withdraw their application for Dispute Resolution;
- 2) The Landlord agreed to pay the applicant Tenant **\$120.00** as full and final compensation;
- 3) The \$120.00 payment will be sent to the applicant Tenant by the Landlord by cheque, via mail, on June 14, 2016;
- 4) Each person acknowledged their understanding that this settled Decision resolved the matters contained in the Tenant's application and that no findings were made on the merits of the said application for dispute resolution; and
- 5) Each person agreed that the terms of this settlement agreement were reached by their own free will and without undue pressure or intimidation.

In the event the Tenant does not receive the agreed upon payment of \$120.00 by mail, the Tenant may serve the Landlord the enclosed Monetary Order for **\$120.00** which may be enforced through Small Claims Court.

Conclusion

The parties agreed to settle these matters, pursuant to section 63 of the Act and the Tenant has been issued a Monetary Order for **\$120.00**.

This decision is final, legally binding, and 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 13, 2016

Residential Tenancy Branch