



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNSD, MND, MNSD, MNDC, FF

### Introduction

This hearing was convened in response to an application by the Tenant and an application by the Landlord pursuant to the *Residential Tenancy Act* (the "Act").

The Tenant applied on December 14, 2015 for:

1. An Order for the return of the security deposit - Section 38; and
2. An Order to recover the filing fee for this application - Section 72.

The Landlord applied on May 26, 2016 for:

1. A Monetary Order for damages to the unit - Section 67;
2. A Monetary Order for compensation - Section 67;
3. An Order to retain the security deposit - Section 38; and
4. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing. During the hearing the Parties reached a settlement agreement.

### Agreed Facts

The tenancy began on August 1, 2014 and ended on October 31, 2015. Rent of \$3,500.00 was payable in advance on the first day of each month. At the outset of the tenancy, the Landlord collected a security deposit from the Tenant of \$1,750.00.

### Settlement Agreement

**The Parties mutually agree as follows:**

1. **The Tenant will pay the Landlord \$4,000.00 as follows:**
  - **\$2,000.00 on or before August 15, 2016; and**
  - **\$2,000.00 on or before September 16, 2016; and**
2. **These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63 of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order. Given the agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above. To give effect to the settlement I provide the Landlord with a monetary order.

Conclusion

The Parties have settled the dispute. I grant the Landlord an order under Section 67 of the Act for **\$4,000.00**. If necessary, 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: July 19, 2016

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Residential Tenancy Branch

