



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FF

Introduction

The Application for Dispute Resolution filed by the Tenant seeks the following:

- a. A monetary order in the sum of \$1075 for double the security deposit.
- b. An order to recover the cost of the filing fee.

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

I find that the Application for Dispute Resolution/Notice of Hearing was served on the landlord by mailing, by registered mail to where the landlord resides on March 30, 2016. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the tenant is entitled to the return of double the security deposit/pet deposit?
- b. Whether the tenant is entitled to recover the cost of the filing fee?

Background and Evidence

The parties entered into a one year fixed term written tenancy agreement that provided that the tenancy would start on June 1, 2014. The rent was \$1075 per month payable in advance on first day of each month. The tenant(s) paid a security deposit of \$537.50 at the start of the tenancy.

There is a dispute between the parties as to whether the tenancy continued on a month to month basis or for another fixed term. In early December 2015 the tenants gave the landlord notice they were vacating at the end of December. The tenancy ended on June

December 23, 2015. The tenant(s) provided the landlord with his/her their forwarding address in writing on March 30, 2016.

The landlord testified she has claims against the Tenant although she has not yet filed an Application for Dispute Resolution.

Settlement:

At the end of the hearing the parties reached a settlement and they asked that I record the settlement as follows:

- a. The landlord shall pay to the Tenants the sum of \$500..
- b. This is a full and final settlement and each party releases and discharges the other from all further claims with regard to this tenancy.

Monetary Order

As a result of the settlement I ordered the landlord(s) to pay to the tenants the sum of \$500.

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: August 10, 2016

Residential Tenancy Branch