



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, FF

### Introduction

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

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.

Both Parties attended the conference call hearing. At the onset, both Parties indicated their desire to reach an agreement to resolve the dispute and during the Hearing did reach a settlement agreement.

### Undisputed Facts

The tenancy started on May 26, 2016 and ended on July 26, 2016. At the outset of the tenancy, the Landlord collected \$1,825.00 as a security deposit from the Tenant. No part of the security deposit has been returned to the Tenant and no application claiming against the security deposit has been made by the Landlord.

### Settlement Agreement

**The Parties mutually agree as follows:**

- 1. The Landlord will retain \$1,000.00 from the security deposit plus zero interest and will return \$825.00 to the Tenant; 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 settlement may be recorded in the form of a decision or order. Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above and to give effect to this agreement I provide the Tenant with a monetary order for \$825.00.

### Conclusion

The Parties have settled the dispute. I grant the Tenant an order under Section 67 of the Act for **\$825.00**. 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: February 08, 2017

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Residential Tenancy Branch