



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, OLC, OPR, MNR, FF

Introduction:

The tenant applied to recover her security deposit and the landlord applied for a monetary claim for loss of revenue equivalent to the tenant's security deposit.

Facts:

Both parties attended a conference call hearing. A tenancy was to begin on December 01, 2016 with rent in the amount of \$ 1,066.00 due in advance on the first day of each month. The tenant paid a security deposit totalling \$ 533.00 on November 3, 2016. The tenant did not move into the unit.

Settlement:

The parties settled this matter and they have asked that I record the agreement pursuant to section 63(2) as follows:

- a. In satisfaction for all claims the landlord and tenant now have or may have arising from this tenancy the parties agree that the landlord will be permitted to retain the sum of \$ 266.50 from the tenant's security deposit,
- b. In satisfaction for all claims the landlord and tenant now have or may have arising from this tenancy the parties agree that the landlord shall pay the tenant the balance of the tenant's security deposit which together with interest totals \$ 266.50, and
- c. In consideration for this mutual settlement the parties agree that no further claims will be made by either party whatsoever arising from this tenancy.

Conclusion:

As a result of the settlement I ordered that the landlord retain the sum of \$ 266.50 from the security deposit and I granted the tenant a monetary Order in the amount of \$ 266.50. This order may be filed in the Small Claims Court and enforced as an order of that Court. There shall be no order as to reimbursement of the filing fee to either party as it was not part of the settlement. I have dismissed all other claims made by the landlord and tenant without leave to reapply.

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 07, 2017

Residential Tenancy Branch