



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes                      MNSD

### Introduction

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

- a. A monetary order in the sum of \$1400 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 personally served on the landlord on January 14, 2017. 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?
- b. Whether the tenant is entitled to recover the cost of the filing fee?

### Background and Evidence

The parties entered into a tenancy agreement that provided that the tenancy would start on November 15, 2014. The rent was \$1400 per month payable in advance on first day of each month. The tenant(s) paid a security deposit of \$700 at the start of the tenancy.

The tenancy ended on November 30, 2016. The tenant(s) provided the landlord with her forwarding address in writing on November 29, 2016.

The landlord paid the tenant \$700 on January 15, 2017.

The landlord filed documents which indicates she believes that she has claims against the tenant for the failure to clean and damages. The landlord has not filed an Application for Dispute Resolution as yet.

Settlement:

At the hearing the parties reached a settlement and they asked that I record the settlement pursuant to section 63(2) of the Residential Tenancy Act as follows:

- a. The tenant shall retain the \$700 paid to her previously paid to her by the landlord on January 15, 2017.
- b. In addition the landlord shall pay to the Tenant the sum of \$100 on or before March 7, 2017 for the cost of the filing fee.
- c. This is a full and final settlement and the Tenant releases and discharges the landlord from all claims relating to this tenancy including her right to the doubling of the security deposit.
- d. This is a full and final settlement and the landlord releases and discharges the Tenant from all claims relating to this tenancy including her claim to damages.

As a result of the settlement I ordered that the landlord pay to the Tenant the sum of \$100 on or before March 7, 2017.

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 final and binding on both parties.**

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 17, 2017

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Residential Tenancy Branch