



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute codes      MND MNR MNSD MNDC FF

### Introduction

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

- a monetary order for unpaid rent, damage and compensation for loss under the Act, Regulation or tenancy agreement pursuant to section 67;
- authorization to retain all or a portion of the tenant’s security deposit in partial satisfaction of the monetary order requested pursuant to section 38;
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

The hearing was conducted by conference call. All named parties attended the hearing. During the hearing, the parties expressed an interest and were successful in resolving this dispute by mutual agreement.

### Terms of Settlement

Pursuant to section 63 of the Act, an arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The tenant agrees the landlord may retain the security deposit of \$1100.00.
2. In addition to the landlord retaining the security deposit, the tenant agrees to pay to the landlord a sum of \$2800.00 in accordance with the following payment plan terms and conditions:
  - i. Payment of \$2200.00 payable by certified cheque or bank draft to be sent to the landlord by registered mail on or before March 15, 2017.

- ii. Payment of \$600.00 payable by certified cheque or bank draft to be sent to the landlord by registered mail on or before March 31, 2017.
3. The landlord is granted a Monetary Order in the amount of \$2800.00 and the enforceable portion of this order will be reduced in accordance with any payments made to the landlord.

Each party confirmed that they understood the terms of the agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute.

**This Decision and Settlement Agreement is final and binding on both parties.**

Conclusion

Pursuant to section 67 of the *Act*, I grant the landlord a Monetary Order in the amount of **\$2800.00**. Should the tenants fail to comply with this Order, this 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: March 09, 2017

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Residential Tenancy Branch