



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

MNSD, MNDC

Introduction

This hearing dealt with an application by the tenant, pursuant to section 38 of the *Residential Tenancy Act*, for a monetary order for the return of double the security deposit.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions. The landlord acknowledged receipt of evidence submitted by the tenant. Both parties gave affirmed testimony.

Issues to be Decided

Is the tenant entitled to the return of double the security deposit?

Background and Evidence

The tenancy started on February 01, 2016. Prior to moving in, the tenant paid a security deposit of \$500.00. The tenant moved out on July 25, 2016.

The landlord agreed that he received the tenant's forwarding address by registered mail on August 25, 2016. The tenant testified that he waited until September 21, 2016 for the landlord to return the deposit before he filed this application.

During the hearing the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the Arbitrator may assist the parties settle their dispute and if the parties settle their dispute during the hearing, the settlement may be recorded in the form of a decision or an order.

During this hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. The tenant agreed to accept \$500.00 in full and final satisfaction of all claims against the landlord.
2. The landlord agreed to pay to the tenant \$500.00 in full and final settlement of all claims against the tenant.
3. A monetary order in the amount of \$500.00 will be granted to the tenant.
4. Both parties stated that they understood and agreed that the above particulars comprise full and final settlement of all aspects of the dispute for both parties.

I grant the tenant an order under section 67 of the *Residential Tenancy Act* for the amount of \$500.00. This order may be filed in the Small Claims Court and enforced as an order of that Court.

Conclusion

Pursuant to the above agreement, I grant the tenant a monetary order in the amount of **\$500.00**.

The landlord agreed to make this payment no later than April 15, 2017.

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 22, 2017

Residential Tenancy Branch