



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      FF MNSD MND MNDC

### Introduction

This hearing was convened in response to applications by both parties.

The tenant requested:

- double the return of his security deposit pursuant to section 38 of the *Act*; and
- a return of the filing fee pursuant to section 72 of the *Act*.

The landlord requested:

- a Monetary Order pursuant to section 67 of the *Act*; and
- a return of the filing fee pursuant to section 72 of the *Act*.

Both parties attended the hearing and were given a full opportunity to be heard, to present their sworn testimony, to call witnesses, and to make submissions. The landlord was represented at the hearing by manager, E.L.

E.L. confirmed receipt of the tenant's dispute resolution and evidence package, while the tenant confirmed receipt of the landlord's dispute resolution and evidence package. In accordance with sections 88 and 89 of the *Act*, I find that both parties were duly served with the application and evidence packages.

### Analysis

Pursuant to section 63 of the *Act*, the 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. During the hearing the parties discussed the issues between them, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

1. The tenant agreed to accept \$295.00 in full satisfaction of the outstanding security deposit currently held by the landlord.
2. Both parties agreed that this settlement agreement constituted a final and binding resolution of the tenant's application.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

As the parties reached a settlement, both parties are responsible for the cost of their own filing fee.

### Conclusion

In order to implement the above settlement reached between the parties, and as advised to both parties during the hearing, I issue a Monetary Order in the tenant's favour in the amount of \$295.00. Should the landlord 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: April 6, 2017

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Residential Tenancy Branch