



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNDC, MNSD

Introduction

The Application for Dispute Resolution filed by the landlord makes the following claims:

- a. A monetary order in the sum of \$2113 for loss of rent and damages
- b. An order to recover the cost of the filing fee

The Application for Dispute Resolution filed by the Tenant makes the following claims:

- a. A monetary order in the sum of \$1113.47
- b. An order to recover the cost of the filing fee.

A hearing was conducted by conference call in the presence of a representative of the applicant and in the absence of the respondent although duly served. 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 acknowledged they had received the Application for Dispute Resolution filed by the other party.

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the landlord is entitled to a monetary order and if so how much?
- b. Whether the landlord is entitled to retain all or a portion of the security deposit/pet deposit?
- c. Whether the landlord is entitled to recover the cost of the filing fee?

Background and Evidence

The parties entered into a fixed term written tenancy agreement that provided that the tenancy would start on May 1, 2014, end on April 30, 2015 and become month to month after that. The tenancy ended on or about November 1, 2016. The rent at that time was \$843 per month payable in advance on the first day of each month. The tenant paid a security deposit of \$400 at the start of the tenancy. The landlord returned the security deposit to the tenant.

The Application for Dispute Resolution filed by the landlord seeks a monetary order in the sum of \$2113. The Application for Dispute Resolution filed by the Tenant seeks a monetary order in the sum of \$1113.

Settlement:

During the hearing the parties negotiated 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 pay to the Landlord the sum of \$100.
- b. This is a full and final settlement and each party releases and discharges the other from all further claims with respect to this tenancy.

Monetary Order and Cost of Filing fee

As a result of the settlement I ordered that the Tenant pay to the Landlord the sum of \$100.

It is further Ordered that this sum be paid forthwith. The Landlord is given a formal Order in the above terms and the Tenant 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 the 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: June 12, 2017

Residential Tenancy Branch