



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MND, MNDC, MNR, MNSD

Introduction

Basic

This is an application brought by the Landlord requesting a monetary order in the amount of \$8944.56, and requesting an order to retain the full security deposit and pet deposit on top of that amount.

A substantial amount of documentary evidence, photo evidence, and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all relevant submissions.

During the conference call the parties came to the following mutual agreement as a final settlement of this claim:

Mutual Agreement

The tenant agrees that the landlord may retain the full security deposit of \$825.00, and the full pet deposit of \$825.00, for a total of \$1650.00, as partial settlement of the claim.

The landlord agreed that, on top of the \$1650.00, he is willing to settle for one half of the \$8944.56 remainder of the claim, and the tenant stated that she is willing to settle for that amount as well, which totals \$4472.28. They both agree that this amount is over and above the \$1650.00 security/pet deposit.

The parties also agreed that they will work out a payment plan for the tenant to pay off the \$4472.28.

Conclusion

Section 62 of the Residential Tenancy Act states:

- 63** (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or an order.

Therefore pursuant to section 63(2) of the Residential Tenancy Act I have issued an order that the landlord can retain the full security deposit of \$825.00, and the full pet deposit of \$825.00, and I have issued a monetary order for the tenant to pay \$4472.28 to the landlord.

The tenant stated that she has already paid the outstanding utility Bill of \$246.65, and, if that proves to be the case, the landlord must deduct that amount off of the \$4472.28 ordered.

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.

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: July 29, 2017

Residential Tenancy Branch