



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC MNSD

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* ("the Act") for a monetary order for compensation for loss under the *Act* or tenancy agreement pursuant to section 67 and authorization to obtain a return of all of her security deposit pursuant to section 38.

Both parties attended the hearing and were given an opportunity to be heard, to present sworn testimony and to make submissions. The landlord agreed she had received the tenant's Application for Dispute Resolution. Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

### Background and Evidence

This tenancy began January 20, 2015 and continued on a month to month basis until February 28, 2017. The landlord testified that she continues to hold a \$212.50 security deposit paid by the tenant at the outset of this tenancy. Ultimately, the landlord agreed to pay the tenant \$425.00 – this amount would include the tenant's portion of the security deposit paid at the outset of this tenancy.

### 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. Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a decision:

**The Parties mutually agreed as follows:**

1. The landlord agreed to pay the tenant \$425.00 on or before August 25, 2017.
  - a. The tenant agreed to attend to the landlord's office to accept the payment.
2. These terms comprise the full and final settlement of all aspects of this dispute and this tenancy for both parties.

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.

Conclusion

To give effect to the settlement reached between the parties, I issue a monetary order in the amount of \$425.00 payable by the landlord to the tenant.

The tenant is provided with this Order in the above terms and the landlord must be served with this Order as soon as possible. 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: August 23, 2017