



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute codes MNSD, MND, MNDC, FF

Introduction

A hearing was convened based on the landlord's application dated December 23, 2016 and brought under the *Residential Tenancy Act* (the "Act") for authorization to retain the security deposit, for compensation for damage or loss arising from breach of the Act, regulation, or tenancy agreement, and for recovery of the application filing fee.

The landlord attended. The tenant attended with counsel. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony and had the opportunity to present their evidence orally and in written and documentary form, to make submissions, and to respond to the other party.

At the outset of the hearing I advised the parties of their option to have me assist in mediating an agreement with respect to this tenancy. I further advised that any agreement would be documented in my decision pursuant to section 63 of the Act. It was made clear to the parties that there was no obligation to resolve the dispute through settlement.

Settlement

Over the course of the hearing, the parties reached an agreement to settle this matter on the terms set out below.

1. The landlord withdraws the application.
2. The tenant agrees that the landlord may retain the security deposit.

3. The landlord agrees to waive all claims for all losses and any damage to the rental unit with respect to this tenancy.

Conclusion

This matter has been settled.

The parties are bound by the terms of the agreement set out above, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to apply for monetary compensation or other orders under the Act.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under s. 9.1(1) of the Act.

Dated: August 29, 2017

Residential Tenancy Branch