



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes

MNSD, FF

Introduction

This hearing was convened in response to an application by the landlord seeking Orders under the *Residential Tenancy Act* (the Act) respecting the security deposit.

Both parties attended the conference call hearing and provided testimony.

Background and Evidence

The tenancy has ended. The parties agreed the landlord holds the security deposit in the amount of \$1500.00 in trust. **Section 63** of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute(s) during a hearing which may then be recorded in the form of a Decision or an Order. Pursuant to this provision, discussion between the parties during the hearing led to a settlement agreement as follows. Specifically, in satisfaction for all claims the landlord and tenant now have or may have arising from this tenancy,

1. The parties agree that the landlord will retain \$500.00 of the security deposit and they will return the balance of \$1000.00 to the tenant, forthwith.
2. In consideration for this mutual settlement the parties agree that no further claims will be made by either party whatsoever arising from this tenancy.

The above particulars comprise the **full and final settlement** of all aspects of the landlord's application. Both parties testified they understood and agreed to the above terms. The parties confirmed this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of all matters in respect to this tenancy.

So as to perfect this agreement the tenant is given a Monetary Order in the amount of \$1000.00.

Conclusion

I grant the tenant a **Monetary Order** under Section 67 of the Act to reflect condition #1 of this agreement. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court. If the landlord satisfies the amount of the Order, the Order becomes null and of no effect.

This Decision and Settlement are final and binding.

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: September 11, 2017

Residential Tenancy Branch