



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, MNDC

### Introduction

A hearing was convened based on the landlord's application filed April 27, 2017 under the *Residential Tenancy Act* (the "Act") for compensation for loss or damage to the rental unit and authorization to retain the security and pet deposits.

Both the landlord and the tenant attended, as did the tenant's spouse. 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 \$550.00 of the \$1,137.50 total currently held by the landlord in security and pet deposits (\$837.50 and \$300.00, respectively).

3. The landlord will refund the balance of **\$587.50** to the tenant by electronic transfer no later than October 10, 2017.

In support of this settlement agreement and with the consent of both parties I grant the tenant a monetary order in the amount owing by the landlord (**\$587.50**). If the landlord does not comply with the terms of this settlement agreement, the tenant may file this order in the Small Claims Division of the Provincial Court and enforce it as an order of that Court. The tenant must first serve the order on the landlord.

### Conclusion

This matter has been settled.

The parties are bound by the terms of the agreement set out above, as well as by the Act. Should either party violate the terms of this 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: October 03, 2017

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Residential Tenancy Branch