



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: MNSD, FF

### **Introduction**

The Application for Dispute Resolution filed by the Tenants seek the following:

- a. A monetary order in the sum of \$2050 for double the security deposit.
- b. An order to recover the cost of the filing fee.

The Application for Dispute Resolution filed by the landlord seeks a monetary order in the sum of \$8080 for loss or rent and utilities.

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

I find that the Application for Dispute Resolution/Notice of Hearing filed by each party was sufficiently served on the other. With respect to each of the applicant's claims I find as follows:

### **Issues to be Decided**

The issues to be decided are as follows:

- a. Whether the tenants are entitled to a monetary order and if so how much?
- b. Whether the tenants are entitled to recover the cost of the filing fee?
- c. Whether the landlord is entitled to a monetary order and if so how much?
- d. Whether the landlord is entitled to recover the cost of the filing fee?

### **Background and Evidence:**

The parties and the previous owner entered into a fixed term written tenancy agreement that provided that the tenancy would start on February 1, 2017 and end on January 31, 2018. The rent was \$2600 per month payable in advance on the first day of each month. The tenants paid a security deposit of \$1300 and a pet damage deposit of \$400 at the start of the tenancy.

The present landlord purchased the property from the previous owner and took possession on December 1, 2017.

The tenants vacated the rental property on December 3, 2017. The landlord returned \$1450 of the security deposit within 15 days of the end of tenancy.

The landlord moved into the rental property after the tenants vacated.

Settlement:

After a lengthy hearing the parties reached a settlement and they asked that I record the settlement pursuant to section 63(2) of the Residential Tenancy Act as follows:

- a. The landlord shall pay to the Tenants the sum of \$125.
- b. This is a full and final settlement and each party releases and discharges the other from all further claims with respect to this tenancy.

As a result of the settlement I ordered that the landlord pay to the Tenants the sum of \$125. Are other claims in both applications are dismissed.

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial Court and enforced as an Order of that Court.

**This decision is final and binding on both parties.**

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: February 20, 2018

---

Residential Tenancy Branch