



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes: MNDL-S, MNRL-S, MNDCL-S, FFL

Introduction

This hearing was convened in response to an application by the tenant made September 24, 2018 for the landlord to comply with the Act and recover the filing fee. I accept the tenant's application operated to cause return of the security deposit.

Both parties participated in the hearing. It is undisputed that at the start of the tenancy the landlord collected a security in the amount of \$1500.00 and that the landlord still holds the tenant's deposit in trust.

Section 63 of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision discussion between the parties during the hearing led to a resolution. Specifically, both parties agreed to and confirmed to me as follows;

1. The landlord will retain \$750.00 of the tenant's security deposit and return to the tenant the remainder in the same amount of **\$750.00** forthwith.

So as to perfect the parties' agreement,

I Order the landlord to retain a portion of the tenant's security deposit of the tenancy held in trust in the amount of \$750.00 and returns the remainder to the tenant.

I grant the tenant an Order under Section 67 of the Act for the agreed amount of **\$750.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

The above particulars comprise the **full and final settlement** of all aspects of this proceeding for both parties and for all time. Both parties testified at the hearing that they understood and agreed to the above terms and that the above terms settle all aspects of this dispute and are **final and binding on both parties** and that any Order is enforceable.

Conclusion

The parties settled all aspects of their dispute in the above terms.

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: November 07, 2018

Residential Tenancy Branch