



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FFT

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution wherein she sought return of her security deposit and recovery of the filing fee.

Both parties appeared at the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

Settlement and Conclusion

During the hearing the parties resolved matters by mutual agreement. The parties confirmed that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter. As the parties resolved matters by agreement I make no findings of fact or law with respect to their relative claims.

The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure* as follows:

1. By no later than December 6, 2018, the Landlord shall pay to the Tenant the sum of \$675.00. Such payment to be made by electronic transfer.
2. The parties acknowledge that the sum of \$675.00 includes return of the balance of the Tenant's \$900.00 security and pet damage deposit and recovery of the filing fee.
3. Further, the parties acknowledge that the sum of \$675.00 also considers the security deposit formerly held by the Tenant for the benefit of the student, M.M. By operation of this Decision, the Landlord now holds the student, M.M.'s security deposit of

\$325.00, such sum to be dealt with in accordance with section 38 of the *Residential Tenancy Act*.

4. At 12:00 noon on December 8, 2018 the Tenant shall attend the rental unit to retrieve the following items:
 - a. double Bed and frame;
 - b. student desk and chair,
 - c. carpets in both bedroom and living area;
 - d. white cabinet;
 - e. small fridge with freezer;
 - f. microwave;
 - g. toaster Oven;
 - h. pots and pans;
 - i. dishes;
 - j. utensils; and
 - k. linens
5. In furtherance of this settlement, the Tenant is granted a Monetary Order in the amount of \$675.00. The Tenant shall only make use of this Monetary Order in the event the Landlord fails to pay her \$675.00 as provided for in this Decision. In that event, the Tenant must serve the Monetary Order on the Landlord and may file and enforce it in the B.C. Provincial Court (Small Claims Division).
6. All other claims arising from the tenancy are hereby dismissed as if tried on their merits.

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 22, 2018

Residential Tenancy Branch