



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FFT

Introduction

This hearing was scheduled to deal with a tenant's application for return of double the security deposit, less an amount she was agreeable to paying for damage to the rental unit. Both parties appeared or were represented at the hearing and had the opportunity to make relevant submissions and to respond to the submissions of the other party pursuant to the Rules of Procedure.

For this proceeding the landlord had submitted evidence consistent with a damage claim; however, I determined that the landlord had not yet made a damage claim against the tenant.

After some discussion concerning rights and obligations with respect to handling of deposits and making a damage claim; the parties turned their minds to reaching a full and final settlement agreement during the hearing. The parties were able to reach a settlement agreement and I have recorded it by way of this decision and the Monetary Order that accompanies it.

Issue(s) to be Decided

What are the terms of settlement?

Background and Evidence

During the hearing, the parties mutually agreed to the following terms of settlement:

1. The landlord shall pay to the tenant the amount of \$1,020.00 without delay.
2. The landlord shall not make a damage or cleaning claim against the tenant.

3. This settlement agreement represents a full and final settlement agreement between the parties with respect to the subject tenancy

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record the agreement in the form of a decision or order.

I have accepted and recorded the settlement agreement reached by the parties during this hearing and I make the term(s) an Order to be binding upon both parties.

In recognition of the mutual agreement, I provide the tenant a Monetary Order in the amount of \$1,020.00 to serve and enforce upon the landlord if necessary.

Both parties are now precluded from filing any future Application for Dispute Resolution against the other party with respect to this tenancy.

Conclusion

The parties entered into a settlement agreement that I have recorded in this decision. In recognition of the settlement agreement, I provide the tenant with a Monetary Order in the amount of \$1,020.00 to serve and enforce if necessary.

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: January 24, 2019

Residential Tenancy Branch