



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION AND RECORD OF SETTLEMENT**

**Dispute Codes:** MND-S, FF

### **Introduction**

This hearing was convened in response to an application by the landlord seeking monetary relief for damage to the unit and offsetting of the security deposit.

Both parties participated in the hearing. It is relevant and undisputed that at the start of the tenancy the landlord collected a security deposit in the amount of \$500.00 and that the landlord still holds the tenant's full 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 some 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 \$400.00 of the tenant's security deposit and return to the tenant the remainder in the amount of **\$100.00**.

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 \$400.00 and to return the remainder to the tenant, forthwith.

**I grant** the tenant an **Order** under Section 67 of the Act for the amount of **\$100.00**. 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: January 29, 2019

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Residential Tenancy Branch