



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDCT, MNSD, FFT

On October 16, 2018, the Tenants submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (the “Act”) requesting a Monetary Order for damages, for the return of the security deposit, and to recover the cost of the filing fee. The matter was set for a participatory hearing via conference call.

The Landlords and Tenants attended the hearing and provided testimony. While attempting to establish the details regarding the service of the Notice of Dispute Resolution Hearing package and service of the Tenants’ forwarding address, I heard conflicting evidence. During this time and before reviewing the hearing process with the parties, the parties indicated that they would consider negotiating a settlement to this dispute.

### Preliminary Matters

Section 63 of the Act allows an Arbitrator to assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision and include an Order. Accordingly, I assisted the parties to resolve this dispute by helping them negotiate terms for a Settlement Agreement with the input from both parties.

### Settlement Agreement

The Landlords and Tenants confirmed during the hearing that this agreement was made voluntarily and that it was made in full satisfaction of the Tenants’ Application.

1. The Tenants agreed for the Landlords to retain the security deposit of \$600.00.
2. The Landlords and the Tenants agreed that there will be no further Applications for Dispute Resolution or claims against one another regarding this tenancy.
3. This Application is now closed.

This agreement was summarized for the parties on two occasions and each individual party in attendance at the hearing indicated that they agreed to resolve this dispute under these terms. The Landlords and the Tenants both acknowledged that they

understood they were not required to enter into this agreement and that they understood the agreement was final and binding.

As the Tenants' issues were addressed by settlement, I make no award for the recovery of the filing fee.

Conclusion

The above Settlement Agreement is made in full satisfaction of the Tenants' Application.

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 26, 2019

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Residential Tenancy Branch