



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MND MNDC MNR FF

### Introduction

This hearing dealt with the Landlord's Application for Dispute Resolution, made on November 8, 2018 (the "Application"). The Landlord applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- a monetary order for damage to the unit, site, or property; and
- an order authorizing the Landlord to retain the security deposit and/or pet damage deposit; and
- an order granting recovery of the filing fee.

The Landlord attended the hearing in person and was assisted by P.R. The Tenant attended the hearing and was represented by A.P., legal counsel. Also in attendance for the Tenant were D.D., the Tenant's mother, and E.Z., an articulated law student. The Landlord, Tenant, P.R., D.D., and E.Z. all provided a solemn affirmation at the beginning of the hearing.

### Settlement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement, which would be documented in my Decision.

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The parties acknowledge the Landlord holds a security deposit in the amount of \$850.00.
2. The Tenant agrees the Landlord may retain \$500.00 from the security deposit.
3. The Landlord agrees to return the balance of the security deposit (\$350.00) to the Tenant at the mailing address provided during the hearing no later than March 31, 2019 (the "Settlement Payment").
4. The Landlord agrees to withdraw the Application in full as part of this settlement.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. As the agreement was reached through negotiation, I decline to grant recovery of the filing fee paid to the Landlord.

#### Conclusion

I order the parties to comply with the terms of the settled agreement described above.

In support of the settlement, and with the agreement of the parties, the Tenant is granted a monetary order in the amount of \$350.00. The order will be of no force or effect if the Settlement Payment is made as described above. If necessary, the order may be filed in and enforced as an order of the Provincial Court of British Columbia (Small Claims).

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: March 12, 2019

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Residential Tenancy Branch