



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDCT
 FFL, MNDL-S

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on November 2, 2018, wherein the Tenant sought return of the security deposit paid. By Amendment filed December 18, 2018 the Tenant increased her monetary claim to \$2,458.26 to include a claim for a return of rent paid over and above the allowable amount.

In the Landlord's Application for Dispute Resolution, filed on February 13, 2019, the Landlord sought monetary compensation from the Tenant for damage to the rental unit, authority to retain the Tenant's security deposit, and recovery of the filing fee. Due to the timing of this Application, the Landlord's Application it was not scheduled with the Tenant's and the Landlord's Application was scheduled for June 3, 2019.

The hearing of the Tenant's Application came before me at 1:30 p.m. on February 28, 2019. By Interim Decision dated February 28, 2019 I joined the parties' applications to be heard at the same time and both matters were adjourned to April 11, 2019.

The hearing of the parties' cross applications reconvened on April 11, 2019 at 9:30 a.m. Both parties called into the hearing on that date. The Landlord was also represented by legal counsel. 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 they understood this as a 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 4:00 p.m. April 18, 2019, the Landlord shall pay to the Tenant, by electronic transfer, the sum of \$650.00. To facilitate the electronic transfer, the Tenant's email address is provided for on the unpublished cover page of this my Decision.
2. In furtherance of this settlement, the Tenant is granted a Monetary Order in the amount of \$650.00. This Order may be filed and enforced in the B.C. Provincial Court (Small Claims Division).
3. The \$650.00 payment from the Landlord to the Tenant shall represent a full and final satisfaction of all claims arising from this tenancy.

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: April 11, 2019

Residential Tenancy Branch