



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding SKYLINE LIVING
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes **FFL MNRL-S**

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- Authorization to recover the filing fees from the tenant pursuant to section 72; and
- A monetary order for unpaid rent and authorization to retain a security deposit pursuant to sections 67 and 38.

Background and Evidence

The landlord provided a copy of the tenancy agreement as evidence. The fixed term tenancy began on April 13, 2018 to become a month to month tenancy at the conclusion of the fixed term on April 30, 2019. Rent was set at \$1,495.00 plus an additional \$100.00 for parking, payable on the first day of each month. Rent was paid by pre-authorized debits. A security deposit and pet damage deposit in the amount of \$910.00 was collected and is currently held by the landlord.

Settlement Agreement

Pursuant to section 63 of the *Act*, the Arbitrator may 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 or an order. During the hearing the parties discussed the issues between them, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

1. The parties agree that the landlord will retain \$500.00 of the \$910.00 security deposit and pet damage deposit.
2. The landlord will return \$410.00 representing the remainder of the security deposit and pet damage deposit to the tenant.
3. This settlement comprises the full and final settlement of the landlord's application.

Both parties testified that they understood and agreed to the above terms, free of any duress or coercion. Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute.

Conclusion

In order to implement the above settlement reached between the parties and as discussed with them at the hearing, I issue a monetary Order in the tenant's favour in the amount of \$410.00. The tenant is provided with this Order in the above terms and the landlord must be served with **this Order** as soon as possible.

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: May 30, 2019

Residential Tenancy Branch