



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPL-4M, MNDCL-S, FFL

Introduction

This hearing was convened as a result of the Landlord's Application for Dispute Resolution, made on June 5, 2019 (the "Application"). The Landlord applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order of possession for Landlord's Use of the Property;
- a monetary order for damage or compensation;
- an order to retain the security deposit; and
- an order granting recovery of the filing fee.

The Landlord, K.M., as well as the Tenant attended the hearing at the appointed date and time and provided affirmed testimony.

Preliminary Matters

The parties agreed that the tenancy had ended on June 30, 2019; therefore, the Landlords were no longer seeking an order of possession for Landlord's Use of the Property. The Landlord requested to withdraw this claim from the Application.

Settlement Agreement

The opportunity for settlement was discussed with the parties during the hearing. During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The parties agreed that the Landlord is permitted to retain \$250.00 from the Tenant's \$637.00 security deposit.
2. The parties agreed that the Landlord will return the remaining balance of the security deposit in the amount of \$387.00 to the Tenant.
3. The Landlord agreed to withdraw the Landlords' Application in its entirety as part of this mutually settled agreement.

This settlement agreement was reached in accordance with section 63 of the *Act*.

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. I indicated on several occasions that if either party did not wish to resolve this matter through a mutually agreed settlement, I was prepared to hear their evidence and make a decision.

Conclusion

The parties mutually agreed that the Tenant is granted a monetary order in the amount of \$387.00. The order may be filed in and enforced as an order of the Provincial Court of BC (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: July 16, 2019

Residential Tenancy Branch