



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD FFT

### Introduction

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

- the return of the security deposit pursuant to section 38 of the *Act*;
- recovery of the filing fee pursuant to section 72 of the *Act*.

Both parties attended the hearing and were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

As both parties were present, service of documents was confirmed. The landlord confirmed receipt of the tenant's Notice of Dispute Resolution Proceeding Package and evidentiary materials. The tenant confirmed receipt of the landlord's evidence.

Based on the undisputed testimonies of the parties, I find that the notice of this hearing and evidentiary materials were served in accordance with the *Act*.

### Issue(s) to be Decided

Is the tenant entitled to the return of the security deposit?

Is the tenant entitled to recover the filing fee?

### Analysis

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 and all claims arising from this tenancy, given that this tenancy has ended:**

1. The landlord agreed to pay the tenant \$700.00 by e-transfer during the hearing. The transaction reference number for the e-transfer is recorded on the cover sheet of this Decision. The tenant confirmed receipt of the landlord's e-transfer.
2. Both parties agreed that the terms of this settlement as outlined above constitutes a final and binding resolution of the tenant's Application for Dispute Resolution, all issues currently under dispute at this time, and that no further claims will be made by the tenant or landlord whatsoever arising from this tenancy.

### Conclusion

The landlord paid the tenant \$700.00 in full and final satisfaction of the tenant's monetary claim.

Neither party may bring forward any further claims against each other 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: August 20, 2019

---

Residential Tenancy Branch