



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, FFT

### Introduction

This hearing dealt with an application by the tenants under the *Residential Tenancy Act* (the *Act*) for the following:

- An order for the landlord to return double the security and pet deposit pursuant to section 38; and
- An order requiring the landlord to reimburse the tenant for the filing fee pursuant to section 72.

The agent DS attended for the landlord (“the landlord”). Both tenants attended. Both parties were given a full opportunity to be heard, to present their affirmed testimony and to make submissions.

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded as a Decision.

Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute. Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a Decision:

### **The Parties mutually agreed as follows:**

1. The landlord agreed to pay the balance of the tenants’ security and pet deposit as well as reimbursement of the filing fee in the agreed upon amount of

\$1,721.93 forthwith to the tenant and no later than 1:00 PM on September 12, 2019.

To give effect to the settlement reached between the parties, I issue to the tenants the attached monetary order requiring the landlord to pay the sum of \$1,721.93 to the tenants on or before 1:00 PM on September 12, 2019, to be served upon the landlord **only** if the landlord fails to pay the full amount by that time.

Both parties testified that they understood and agreed that the above terms are final, binding, and enforceable, and settle all aspects of this application.

Based on the above, I find that all matters between these parties raised in this application are resolved pursuant to the above agreed terms.

The parties are still bound by all the rights, responsibilities, terms, conditions and any statutory compensation provisions of the tenancy agreement, the Act, and the associated regulations.

### Conclusion

Further to the above settlement, I grant the tenants a monetary order in the amount of \$1,721.93. This order must be served on the landlord **ONLY** if the landlord fails to pay the amount by 1:00 PM on September 12, 2019 pursuant to the terms of the above settlement. The order may be filed in the BC Supreme Court (Small Claims Division) and enforced as an order of that Court.

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: September 05, 2019

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Residential Tenancy Branch