



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **FFT MNDCT MNSD**

Introduction

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

- An order for the landlord to return the security deposit pursuant to section 38;
- A monetary order for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* ("*Regulation*") or tenancy agreement pursuant to section 67 of the *Act*;
- An order requiring the landlord to reimburse the tenant for the filing fee pursuant to section 72.

The tenant AA attended for both tenants ("the tenant"). The landlord AC attended for both landlords ("the landlord"). Each party had the opportunity to make submissions, present documentary evidence, call witnesses and cross examine the other party..

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 in the form of a Decision or an Order. 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:

The landlord will pay to the tenant on or before October 25, 2019 at 1:00 PM the sum of \$2,100.00 being the amount agreed between the parties as being the security deposit

paid by the tenant at the beginning of the tenancy and held by the landlord subject to the doubling provisions of the Act, less the \$100.00 agreed by the tenant to be withheld, plus reimbursement of the filing fee of \$100.00.

To give effect to the settlement reached between the parties, I issue to the tenant the attached monetary order requiring the landlord to pay the sum of \$2,100.00 to the tenant on or before October 25, 2019 at 1:00 PM, 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.

Conclusion

To give effect to the settlement reached between the parties, I issue to the tenant the attached monetary order requiring the landlord to pay the sum of \$2,100.00 to the tenant on or before October 25, 2019 at 1:00 PM, to be served upon the landlord **only if** the landlord fails to pay the full amount by that time.

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: October 11, 2019

Residential Tenancy Branch