



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **FFT 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;
- An order requiring the landlord to reimburse the tenant for the filing fee pursuant to section 72.

No issues of service were raised. I find the Applicant served the Respondent as required under the *Act*.

The hearing process was explained, and each party had the opportunity to ask questions. Both parties had an opportunity to be heard, to present their affirmed testimony and to make submissions.

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.

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 agreed as follows:

1. The landlord shall pay to the tenant by 1:00 PM on December 5, 2019 the sum of \$1,600.00 which includes reimbursement of the security deposit of \$750.00 which the tenant paid at the beginning of the tenancy and reimbursement of the filing fee.

To give effect to the settlement reached between the parties and as advised to both parties during the hearing, I issue the following order:

I issue to the tenant a Monetary Order of \$1,600.00 in the above terms to be served on the landlord ONLY if the landlord fails to abide by the terms set out in this settlement agreement.

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

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Conclusion

Further to the terms of the above, I grant the tenant a Monetary Order in the amount of \$1,700.00 requiring the landlord to pay the amount to the tenant by 1:00 PM on December 5, 2019, the Order to be served upon the landlord ONLY if the landlord fails to pay the said sum to the tenant at 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: November 21, 2019

Residential Tenancy Branch