



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, MND, MNSD, FF

Introduction

This matter dealt with an application by the Landlord for compensation for damage to the unit, site or property, for damage of loss under the Act, regulations or tenancy agreement, to retain the Tenant's security deposit and to recover the filing fee for this proceeding.

The Landlord said she served the Tenant with the Application and Notice of Hearing (the "hearing package") by registered mail. The Tenant said she received the hearing package on August 11, 2019. Based on the evidence of the Landlord and Tenant, I find that the Tenant was served with the Landlord's hearing package as required by s. 89 of the Act and the hearing proceeded with both parties in attendance.

During the course of the hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. the Landlord agreed to withdraw her application.
2. the Tenant agreed not to bother or contact the Landlord and the Tenant agreed not to be in the vicinity of the rental unit.
3. the Landlord further agreed to return the Tenant's security deposit of \$700.00 within 15 days of receiving this settlement agreement.
4. the Tenant will receive a monetary Order in support of the return of the security deposit in the amount of \$700.00.
5. both parties agreed no more new applications to the Residential Tenancy Branch will be made regarding this tenancy.

Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 of the Act the Landlord and the Tenants agreed to the above arrangement.

As no further action is required on this file, the file is closed.

Conclusion

The Landlord withdrew her application.

The Parties agreed to the above settlement agreement.

The Tenant has received a monetary Order in the amount of \$700.00 in support of the return of the Tenant's security deposit.

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 18, 2019

Residential Tenancy Branch