



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes

MND – S FF

Introduction

This hearing was convened in response an application by the landlord under the *Residential Tenancy Act* (the Act) seeking compensation for damage and loss and to recover the filing fee. Both parties attended the conference call hearing. At the outset of the hearing the parties considered the matter at hand with view to a settlement.

Analysis

Section 63 of the *Residential Tenancy Act* provides that parties may settle their dispute during a hearing and an Arbitrator may record the settlement in the form of a Decision or Order. Pursuant to this provision, the parties turned their minds to compromise and some discussion during the hearing led to a resolution. Specifically,

The parties agreed to, and each confirmed to me, as follows;

- 1. The landlord holds the tenant's security deposit in the amount of \$1100.00.*
- 2. The landlord is permitted to retain \$550.00 of the tenant's security deposit and will return the balance of **\$550.00 to the tenant**, forthwith.*
- 3. The parties agreed the landlord will return to the tenant the agreed amount of \$550.00 via electronic payment transfer (e-transfer).*
- 4. The tenant will return the garage door opener of the tenancy to the landlord.*

Both parties testified they understood and agreed to the above terms as being a full and final resolve of the dispute.

ORDERS

To perfect the parties' agreement,

*The tenant is given a **Monetary Order** in the amount of **\$550.00** to reflect condition(s) 2 of this agreement. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.*

Conclusion

The parties resolved their dispute in the above terms, which comprise the full and final settlement of all aspects of this dispute.

This Decision and settlement agreement are final and binding.

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: December 17, 2019

Residential Tenancy Branch