



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Westwynd Realty
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNSD, FFT

Introduction

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

- an order for the landlord to return the security deposit, pursuant to section 38 of the Act;
- an order requiring the landlord to reimburse the filing fee, pursuant to section 72 of the Act.

Tenant RA and the landlord, represented by JB, attended the hearing.

As both parties were in attendance, I confirmed that there were no issues with service of the tenant's application for dispute resolution.

All parties were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

Settlement

Pursuant to section 63 of the Act, an arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues between them relating to the tenancy:

1. The landlord will pay the tenant \$700.00 by cheque to be mailed the tenant's forwarding address on January 20, 2020.
2. The landlord will retain the balance of the security deposit (\$100.00).

These particulars comprise the full and final settlement of all aspects of all disputes between the parties relating to the tenancy. The parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as legal, final and binding.

Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the settlement reached between the tenant and the landlord, I issue the attached monetary order ordering the landlord to pay the tenant \$700.00.

Should the landlord fail to pay the settlement funds to the tenant as required above, this order may be filed at and enforced as an order of the Small Claims Division of the Provincial Court of British Columbia.

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: January 20, 2020

Residential Tenancy Branch