



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes MNDC MNSD FF

Introduction

This hearing was convened in response to an application by the tenant under the *Residential Tenancy Act* (the Act) seeking a monetary order for loss, the balance of their security deposit, and recovery of the filing fee. The landlord's agent and the tenant with their representative attended the conference call hearing.

Analysis

During the hearing the tenant clarified their application and basis of their monetary claim. The parties presented their evidence, provided testimony, posed and answered questions, and conversed between them at length in consideration of the matters in dispute.

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 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. At the outset of the tenancy the landlord collected from the tenant a security deposit of \$398.75 of which they have returned \$158.75 and hold the balance of \$250.00 in trust.*
- 2. The landlord agrees to return to the tenant the balance of their security deposit held in trust, in the amount of \$250.00, forthwith.*

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

As the parties mutually settled their dispute it is my decision they will share the cost of

the filing fee, for which I effectively grant the tenant \$50.00.

So as to perfect the parties' agreement in this matter and the tenant's portion of their filing fee,

I grant the tenant a Monetary Order under Section 67 of the Act for the sum of **\$300.00**. 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: January 07, 2020

Residential Tenancy Branch