



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, FFT

Introduction

This hearing dealt with an Application for Dispute Resolution (the “Application”) that was filed by the Tenant under the *Residential Tenancy Act* (the “Act”), seeking:

- The return of all or part of their security deposit; and
- Recovery of the filing fee.

The hearing was convened by telephone conference call and was attended by the Tenant, the Landlord, an agent for the Landlord (the “Agent”) and Legal Counsel for the Landlord. All testimony provided by the parties was affirmed. The Landlord acknowledged receipt of the of the Notice of Dispute Resolution Proceeding Package, including a copy of the Application and notice of the hearing.

At the request of the parties, copies of the decision and any orders issued in their favor will be emailed to them at the email address confirmed in the hearing.

Settlement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised on several occasions during the hearing that there is no obligation to resolve the dispute through settlement, but that pursuant to section 63 of the *Act*, I could assist the parties to reach an agreement, which would be documented in my Decision and supporting order.

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The Landlord agrees that the Tenant is entitled to \$1,100.00 for the return of their portion of the security deposit and recovery of the \$100.00 filing fee.
2. The Landlord agrees to mail the Tenant a cheque in the amount of \$1,100.00 no later than May 18, 2020, two weeks from the date of this hearing.
3. The Tenant agrees that this settlement agreement constitutes full and final settlement of any claims in relation to their interest in the security deposit.

4. The Tenant withdraws their Application in full as part of this mutually agreed settlement.

This settlement agreement was reached in accordance with section 63 of the *Act*.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

In support of the settlement described above, and with the agreement of the parties, I grant the Tenant a Monetary Order in the amount of \$1,100.00. The Tenant is provided with this Order in the above terms and the Landlord must be served with this Order as soon as possible. Should the Landlord fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order of that Court.

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: May 4, 2020

Residential Tenancy Branch