



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute codes      MNR MNDC MNSD FF / MNDC OLC FF

### Introduction

This hearing was convened in response to cross-applications by the parties pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

Landlord:

- a monetary order for unpaid rent pursuant to section 67;
- a monetary order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- authorization to retain all or a portion of the tenant’s security deposit in partial satisfaction of the monetary order requested pursuant to section 38;
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

Tenant:

- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

All named parties attended the hearing. During the hearing, the parties expressed an interest and were successful in resolving this dispute by mutual agreement.

### Terms of 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.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The parties agreed that the landlord may retain the tenant's security deposit in the full amount of \$525.00.
2. In addition to the above, the tenant agrees to compensate the landlord in the amount of \$975.00 by electronic mail transfer to be sent on or before August 3, 2020. The landlord is granted a Monetary Order for this amount and the enforceable portion of this order will be reduced in accordance with any payments made to the landlord.
3. The parties agreed that these particulars comprise the full and final settlement of all aspects of both the above applications under the Residential Tenancy Act and the tenant's Notice of Application filed with the Supreme Court of British Columbia (Court file# 223363).
4. The parties further agree that no future claims may arise from either party under the *Residential Tenancy Act* or in any other Court or Tribunal in relation to this tenancy which ended on January 30, 2020.

Each party confirmed that this agreement was reached voluntarily and that they understood the terms of the agreement. The parties agreed that the above terms comprise the full and final settlement of all aspects of this dispute.

**This Decision and Settlement Agreement is final and binding on both parties.**

### Conclusion

Pursuant to section 67 of the Act, I grant the landlord a Monetary Order in the amount of **\$975.00**. Should the tenant 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: July 20, 2020

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Residential Tenancy Branch