



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

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

DECISION

Dispute Codes MNDL-S, FFL

Introduction

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. A Monetary Order for damage to the unit - Section 67;
2. An Order to retain the security deposit - Section 38; and
3. An Order to recover the filing fee for this application - Section 72.

The Parties were each given full opportunity under oath to be heard, to present evidence and to make submissions. During the hearing and after giving agreed facts, the Parties reached a settlement agreement.

Agreed Facts

The tenancy under written agreement started on April 15, 2019 and ended on July 31, 2020. At the outset of the tenancy the Landlord collected \$1,450.00 as a security deposit. The Parties mutually conducted a move-in and move-out inspection with completed reports copied to the Tenants. The Landlord received the Tenants’ forwarding address on the move-out report signed July 30, 2020. On August 13, 2020 the Landlord returned \$743.32 of the security deposit to the Tenants. The Landlord holds the remaining security deposit of \$706.68.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The Landlord will keep \$307.38 from the security deposit of \$706.68 and will return the remaining \$399.30 to the Tenants; and**
- 2. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63(2) of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order. Given the mutual agreement reached during the hearing, I find that the Parties have settled their dispute as recorded above. In order to give effect to this agreement I grant the Tenants a monetary order for **\$399.30**.

Conclusion

I grant the Tenants an order under Section 67 of the Act for **\$399.30**. If necessary, this order may be filed in the Small Claims 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 Act.

Dated: December 04, 2020

Residential Tenancy Branch