



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD, MNDCT, FFT

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenants for the return of the security deposit, for monetary compensation for monetary loss or other monetary owed and to recover the cost of the filing fee.

Both parties appeared, gave testimony, and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions at the hearing

At the outset of the hearing the landlord stated they did not receive any evidence from the tenants. The tenants stated they gave the landlord copy of the documents they received from the Residential Tenancy Branch.

In this case, I am not satisfied that the tenants served the landlord with any evidence. The Residential Tenancy Branch would not be providing this to the tenants. That is their responsibility. Therefore, I find it appropriate to exclude the tenants' evidence.

In this case the tenants are claiming monetary compensation for items they left being in the rental unit. There is no description of these said items. Further, the landlord was entitled to dispose of items after 60 days. As the tenants have not provided the full particulars and they had sufficient time to do so, I dismiss this portion of their claim without leave to reapply.

### Settlement agreement

During the hearing, the parties agreed to settle these matters, on the following conditions:

- 1) The landlord agreed to return the security deposit of \$700.00 to the tenants by e-transfer on today's date, January 29, 2021, as the tenants did not provide their forwarding address in accordance with section 88 of the Act.

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

As the tenant's application would not have been successful, I decline to award the cost of the filing fee.

### Conclusion

The tenants are granted a monetary should the landlord fail to return the security deposit as agreed upon.

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 29, 2021

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Residential Tenancy Branch