



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDL-S, FFL

### Introduction

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

- Compensation for damage caused by the Tenant, their pets, or their guests, to the unit, site or property;
- Recovery of the filing fee; and
- Retention of the Tenant's security deposit.

The hearing was convened by telephone conference call and was attended by the Landlord J.B. (the Landlord) and the Tenant, both of whom provided affirmed testimony. The Tenant acknowledged receipt of the Notice of Dispute Resolution Proceeding Package, including a copy of the Application and the Notice of Hearing, the registered mail tracking number for which has been recorded on the cover page of this decision. Canada Post shows that the registered mail sent on October 21, 2020, and delivered on October 27, 2020. As the Tenant acknowledged receipt as set out above and raised no concerns regarding service or timelines, the hearing therefore proceeded as scheduled. The parties were provided the opportunity to present their evidence orally and in written and documentary form, and to make submissions at 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(s).

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

1. The parties agree that the Tenant owes the Landlords \$1,200.00 for damage to the rental unit, cleaning costs, and recovery of the filing fee;
2. The Parties agree that the Landlords may retain the \$900.00 security deposit in partial repayment of the above noted amount, the \$300.00 balance of which is to be paid by the Tenant within 2 weeks of the date of the hearing.
3. The parties agree that this settlement agreement settles in full, the matters claimed by the Landlords in the Application.

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

### Conclusion

I order the parties to comply with the terms of the settlement agreement described above.

In agreement with the parties and pursuant to section 63 of the Act, I grant the Landlords a Monetary Order in the amount of **\$300.00**. The Landlords are provided with this Order in the above terms and should the Tenant fail to comply with the payment arrangements set out in section 2 of the settlement agreement above, this Order may be served on the Tenant and filed in the Small Claims Division of the Provincial Court, where it will be enforced as an Order of that Court. The Tenant is cautioned that costs of such enforcement may be recoverable from them by the Landlords.

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: February 2, 2021

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Residential Tenancy Branch