



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **MNDL-S, FFL (tenant), MNSDS-DR (landlord)**

### Introduction

This hearing dealt with an application by the tenant under the *Residential Tenancy Act* (the *Act*) for the following:

- An order for the landlord to return the security deposit pursuant to section 38;
- An order requiring the landlord to reimburse the tenant for the filing fee pursuant to section 72.

This hearing also dealt with an application by the landlord under the *Residential Tenancy Act* (the *Act*) for the following:

- A monetary order for unpaid rent and for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* ("*Regulation*") or tenancy agreement pursuant to section 67 of the *Act*;
- Authorization to retain all or a portion of the tenant's security deposit in partial satisfaction of the monetary order requested pursuant to section 72 of the *Act*;
- Authorization to recover the filing fee for this application pursuant to section 72.

At the outset, the tenant's Application for Dispute Resolution was noted as abandoned by the tenant for inaction. The hearing proceeded with respect to the landlord's application.

Both parties attended the hearing and had opportunity to provide affirmed testimony, present evidence and make submissions. No issues of service were raised. The hearing process was explained.

At the start of the hearing, I informed the parties that recording of the hearing is prohibited under the Rules of Procedure. Each party testified they were not recording the hearing.

Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute.

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision or an Order. This settlement agreement was reached in accordance with section 63.

Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a Decision:

**The parties agreed as follows:**

- 1) By 5:00 PM on August 3, 2021, the landlord shall e-transfer \$665.00 to the tenant being the balance of the tenant's security deposit.
- 2) The tenant agreed that the landlord may retain the balance of the security deposit in full and final satisfaction of his claim.
- 3) The parties acknowledged that this settlement agreement is made in full and final satisfaction of the landlord's claims.

In support of this settlement and with the agreement of both parties, I grant the tenant the following:

1. A Monetary Order in the amount of \$665.00.

This settlement was fully discussed by the parties. Each party stated they understood and agreed with the terms.

Should the landlord fail to comply with this Monetary Order, the Order may be filed and enforced as an Order of the Courts of British Columbia.

Based on the above, I find that all matters between these parties raised in this application are resolved pursuant to the above agreed terms.

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 29, 2021

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Residential Tenancy Branch