



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **MNDCL-S, FFL**

Introduction

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

- An order for the landlord to retain the security deposit and a monetary order for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* ("*Regulation*") or tenancy agreement pursuant to section 67 of the *Act*;
- An order for reimbursement of the filing fee pursuant to section 72.

The parties attended the hearing. The parties were given a full opportunity to be heard, to present affirmed testimony, make submissions, and call witnesses. I explained the hearing process and provided the parties with an opportunity to ask questions. The parties did not raise any issues regarding the service of evidence.

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.

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. The landlord shall retain the security deposit and the tenants shall pay the landlord an additional \$350.00 in full and final settlement of the landlord's claim including reimbursement of the filing fee.

Both parties testified that they understood and agreed that the above terms are final, binding, and enforceable, and settle all aspects of this application.

To give effect to this settlement agreement, I issue a Monetary Order to the landlord in the amount of \$350.00.

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

Conclusion

All matters between these parties raised in this application are resolved pursuant to the above agreed terms.

I order both parties to comply with the above settlement terms.

I order the landlord may retain the security deposit held by the landlord in trust and the tenants shall pay the landlord the additional sum of \$350.00, the total amount being full and final settlement of the landlord's claim. As discussed with the parties during the hearing, I issue a Monetary Order to the landlord in support of the above agreement for use only if the tenants fail to pay the landlord the agreed amount of \$350.00.

This settlement amount includes reimbursement of the filing fee to the landlord.

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: September 07, 2021

Residential Tenancy Branch