



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Mainstreet Equity Corp. and  
[tenant name suppressed to protect privacy]

## **DECISION**

**Dispute Codes**      For the landlord: MNDL-S, FFL  
For the tenants: MNSD, FFT

### **Introduction**

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear an application regarding the above-noted tenancy. The landlord applied for:

- a monetary order for loss under the Act, the regulation or tenancy agreement, pursuant to section 67;
- an authorization to retain the tenants security and pet damage deposits (the deposits), under section 38; and
- an authorization to recover the filing fee for this application, under section 72.

Tenants TH (the tenant) and EF and the landlord attended the hearing. The landlord was represented by agents HS (the landlord), KL and JS. Witness for the tenants FK also attended. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

At the outset of the hearing the attending parties affirmed they understand it is prohibited to record this hearing.

Per section 95(3) of the Act, the parties may be fined up to \$5,000.00 if they record this hearing: "A person who contravenes or fails to comply with a decision or an order made by the director commits an offence and is liable on conviction to a fine of not more than \$5 000."

### **Preliminary Issue – Crossing Applications**

The tenants submitted an application for an order requiring the landlord to return double the deposits and to recover the filing fee (the file number is recorded on the cover page of this decision). The hearing of the tenants' application is scheduled for May 30, 2022. The landlord confirmed receipt of the tenants' application.

Both parties agreed to hear both applications today.

Pursuant to Rule of Procedure 2.14 I crossed both applications.

### Settlement

Pursuant to section 63 of the Act, an arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues listed in these applications for dispute resolution:

1. The landlord is authorized to withhold the \$625.00 deposits;
2. No further compensation is owed.

### Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of these applications.

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: November 08, 2021

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Residential Tenancy Branch