



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **MNRL-S, MNDL-S, FFL**

### Introduction

This hearing 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.

Both parties attended. The hearing process was explained, and each party had the opportunity to ask questions. The hearing lasted 41 minutes. There were no issues raised regarding service.

Both parties had an opportunity to be heard, to present their affirmed testimony and to make submissions.

Each party confirmed they were not recording the hearing.

Each party provided their address to which the Decision shall be sent.

### Settlement

I explained the hearing and settlement processes, and the potential outcomes and consequences, to both parties. Both parties had an opportunity to ask questions, which I answered. Neither party made any adjournment or accommodation requests. I informed both parties that I could not provide legal advice to them. I notified them that they could hire lawyers to obtain legal advice. I informed them that they could consult the Act, Regulation, Policy Guidelines and Rules of Procedures on the RTB public website. I notified them that they could settle their tenancy issues privately or at an RTB 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) The parties acknowledged that the landlord is authorized to retain half the security deposit in the amount of \$287.50 in full and final satisfaction of the landlord's claims.
- 2) The landlord returned the balance of the security deposit of \$287.50 to the tenant receipt of which the tenant acknowledged.
- 3) The tenant acknowledged the payment in section 2 to be in full and final settlement of any claim for return of the security deposit the tenant may have.

The parties fully discussed this settlement. Each party stated they understood and agreed with the terms.

Either party may apply for such further relief as may be necessary to give effect to this agreement.

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

The application is settled on the above 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: April 19, 2022

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Residential Tenancy Branch