



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

Page: 1

DECISION

Dispute Codes: FFL, MNDL-S, MNDCL

Introduction

The landlord sought compensation pursuant to sections 67 and 72 of the *Residential Tenancy Act* ("Act"). Attending the arbitration hearing were the landlord, the tenant, and a friend who assisted the tenant. The parties were affirmed, no service issues were raised, and Rule 6.11 of the *Rules of Procedure* was explained.

Settlement of Dispute

After the landlord completed her testimony and submissions, she offered to settle ("willing to compromise" were her words) the dispute if the tenant agreed to let her retain the \$1,000.00 security deposit. In exchange, the landlord would (1) waive any claim above the security deposit amount, and (2) return the tenant's lily plants. The tenant accepted the settlement offer.

As explained to the parties during the hearing, and as per section 63 of the Act, "If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or an order." The above-noted settlement is therefore made. Pursuant to section 38(4) of the Act, the landlord is authorized to retain the security deposit. Last, because this matter was resolved through settlement, the landlord's claim to recover the cost of the application filing fee is dismissed.

Last, the parties are thanked for their willingness and flexibility in settling this dispute.

This decision is made on delegated authority under section 9.1(1) of the Act.

Dated: August 4, 2022

Residential Tenancy Branch