



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNSD FFT

### 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.

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

Neither party made any adjournment or accommodation requests

### *Delivery of Decision*

Each party confirmed their email address to which a copy of the Decision will be sent and for service.

### Settlement

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 pay to the tenant the sum of \$1,750.00 in full and final satisfaction of the tenant's claim.

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

1. Monetary Order in the amount of \$1,750.00

Should either party violate the terms of this agreement, the tenancy agreement, or the *Act*, it is open to the other party to take steps under the *Act* for an appropriate remedy.

This settlement agreement was reached in accordance with section 63 of the *Act*. The settlement was fully discussed by the parties in the hearing. Each party stated they understood and agreed to the terms of this settlement and agreed the above terms are final, binding, and enforceable, and settle all aspects of this application.

The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the *Act*.

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 for Dispute Resolution is settled on the above terms of settlement.

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

1. Monetary Order in the amount of \$1,750.00

This Order must be served on the landlord by the tenant at the email address which appears on the first page. This Order may be filed in the Courts of the Province of British Columbia and enforced as an Order of that Court.

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 18, 2023

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Residential Tenancy Branch