



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes MNDCL-S, FFL

Introduction

This hearing was set to deal with a landlord's application for monetary compensation against the tenants and authorization to retain their security deposit.

Both parties appeared or were represented at the hearing.

I confirmed the parties had exchanged their respective hearing materials upon each other and I admitted their evidence.

The hearing process was explained to the parties and the parties were given the opportunity to ask questions about the process.

After both parties had an opportunity to be heard, the parties turned their minds to entering into a settlement agreement. A settlement agreement was reached during the hearing and I have recorded it by way of this decision and the Monetary Order that accompanies it.

Issue(s) to be Decided

What are the terms of settlement?

Background and Evidence

During the hearing, the parties agreed to the following term(s) in full and final satisfaction of any and all claims the parties may have against the other with respect to the subject tenancy:

1. The landlord withdraws his claim against the tenant. Neither the landlord, nor the tenants, shall make any other monetary claim against the other with respect to this tenancy.
2. The landlord shall refund to the tenants their \$2000.00 security deposit, in the full amount, without delay. The tenants shall be provided a Monetary Order with this decision to ensure payment is made by the landlord.

As the landlord was presented by an agent at the hearing, the agent communicated with the owner during the hearing to gain the owner's authorization to enter into the above described settlement agreement.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record the agreement in the form of a decision or order.

I have accepted and recorded the settlement agreement reached by the parties during this hearing and I make the term(s) an Order to be binding upon both parties.

In recognition of the settlement agreement, I provide the tenants with a Monetary Order in the amount of \$2000.00 to ensure payment is made, as agreed upon.

Neither party may make any further monetary claim against the other party with respect to the subject tenancy.

Conclusion

The parties reached a full and final settlement agreement during the hearing that I have recorded and made binding. As part of the settlement agreement, the landlord must repay the security deposit to the tenants in the full amount of \$2000.00. The tenants

are provided a Monetary Order in the amount of \$2000.00 to ensure the security deposit is refunded, as agreed.

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 04, 2023

Residential Tenancy Branch