



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Introduction**

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- a monetary order for unpaid rent pursuant to section 67;
- a monetary order for damage to the rental unit pursuant to section 67;
- authorization to retain all or a portion of the tenant's security deposit in partial satisfaction of the monetary order requested pursuant to section 38;
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

All named parties attended the hearing. During the hearing, the parties were successful in resolving this dispute by settlement.

### **Terms of 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.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The parties agreed that the landlord may retain the tenant's security deposit of \$1950.00 in full.
2. In addition to the landlord retaining the security deposit, the tenant agrees to pay to the landlord \$1950.00 by electronic mail transfer to be sent immediately upon receipt of this decision. The landlord provided his e-mail address to the tenant in the hearing. The landlord is granted a Monetary Order for this amount and the

enforceable portion of this order will be reduced in accordance with any payments made to the landlord.

3. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute. The parties further agree that no future claims may arise from either party under the *Residential Tenancy Act* in relation to this tenancy which ended on October 16, 2022.

Each party confirmed that this agreement was reached voluntarily and that they understood the terms of the agreement. The parties agreed that the above terms comprise the full and final settlement of all aspects of this dispute.

**This Decision and Settlement Agreement is final and binding on both parties.**

Pursuant to section 67 of the *Act*, I grant the landlord a Monetary Order in the amount of **\$1950.00**. Should the tenant fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court 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: August 03, 2023

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Residential Tenancy Branch