



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

**Dispute Codes**      MNDL-S, FFL, MNSDB-DR, FFT

### **Introduction**

This hearing dealt with two applications pursuant to the *Residential Tenancy Act* (Act).  
The Landlord's application for:

- the Tenant to pay to repair the damage that they, their pets or their guests caused during the tenancy, and to retain the security and pet damage deposit.
- Reimbursement of the filing fee.

And the Tenant's application for:

- Return of the security and pet damage deposit that the Landlord is retaining without cause,
- Reimbursement of the filing fee.

Landlord AS and Agent ADS attended the hearing.

Advocate DH attended the hearing for the Tenant.

### **Service of Notice of Dispute Resolution Proceeding (Proceeding Package) and Evidence**

As both parties confirmed service of the Proceeding Package and documentary evidence, I find both parties were served with the required materials in accordance with the Act.

The parties indicated their intention to settle their dispute.

### **Analysis**

Under section 63 of the Act, the Arbitrator may assist the parties to settle their dispute. 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. During this hearing, the parties reached an agreement to settle their dispute.

Both parties agreed to the following terms of a final and binding resolution of both applications and the issues in dispute arising out of this tenancy at this time and that they did so of their own free volition and without any element of coercion:

1. The Landlord will retain \$700.00 of the \$2,550.00 security deposit.
2. The Landlord will return the remainder of the security deposit (\$1,850.00) to the Tenant. The Landlord will pay the Tenant the sum of \$1,850.00 by November 29, 2023.
3. These particulars comprise the full settlement of all aspects of both applications for dispute resolution.

### **Conclusion**

In order to give effect to the above settlement reached between the parties, I grant a Monetary Order in the Tenant's favour in the amount of \$1,850.00. The Tenant is provided with this Order and the Landlord must be served with a copy of this Order as soon as possible. Should the Landlord fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and enforced as Orders 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: November 22, 2023

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Residential Tenancy Branch