



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Ministry of Housing

## DECISION

### Dispute Codes

Landlord: **MNDL-S, MNDCL-S, FFL**  
Tenant: **MNSDB-DR, FFT**

### Introduction

This hearing dealt with applications filed by both the landlord and the tenant pursuant to the Residential Tenancy Act.

The landlord applied for:

- A monetary order for damages caused by the tenant, their guests to the unit, site or property and authorization to withhold a security deposit pursuant to sections 67 and 38;
- An order to be compensated for a monetary loss or other money owed and authorization to withhold a security deposit pursuant to sections 67 and 38; and
- Authorization to recover the filing fee from the other party pursuant to section 72.

The tenant applied for:

- A return of his security deposit pursuant to section 38; and
- Authorization to recover the filing fee from the other party pursuant to section 72.

Both the landlord and the tenant attended the hearing. The landlord was represented by his brother, B.D. Both the landlord and the tenant confirmed receipt of the other party's Notice of Dispute Resolution package and evidence.

### Settlement Reached

Pursuant to section 63 of the *Act*, the 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. During the hearing, the parties indicated their intention to settle their dispute. The parties achieved the following resolution of their dispute with the following terms:

The tenant agrees to compensate the landlord for the following items on the landlord's monetary order worksheet, form #RTB-37:

Item #	Item #	Amount
1,3,4	damaged/missing accessories: \$291.11 + \$192.62 + \$596.87	\$1,080.60
2	professional cleaning and shampooing of the carpets	\$1,291.50
5	hardwood floor repair at 50%	\$1,050.00
6	tile, wall, molding, banister repair	\$1,575.00
7	missing Wi-Fi module from amazon	\$98.38
8	towels and pillows from Costco	\$348.21
9	two damaged area rugs	\$400.00
10	damaged floor lamp (withdrawn by landlord)	
	<b>TOTAL</b>	<b>\$5,843.69</b>

The parties agree that the landlord may retain \$5,843.69 from the tenant's \$5,997.50 security deposit (\$153.81). The landlord agrees to return the tenant's pet damage deposit in the amount of \$1,000.00, plus interest of \$18.49. [ $153.80 + \$1,000.00 + \$18.49 = \$1,172.29$ ].

The decision to order payment of the filing fee is discretionary upon the arbitrator and since this matter was settled by agreement, I decline to order that the filing fee be recovered by either party.

### Conclusion

I award the tenant a monetary order in the amount of **\$1,172.29**.

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: December 11, 2023

---

Residential Tenancy Branch