



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

### **Introduction**

This hearing dealt with two applications as follows:

The Landlord's Application for Dispute Resolution under the *Residential Tenancy Act* (the Act) for:

- a Monetary Order of \$925.00 for compensation for damage or loss under the Act, regulation or tenancy agreement under section 67 of the Act,
- authorization to retain all or a portion of the Tenant's security deposit in partial satisfaction of the Monetary Order requested under section 38 of the Act,
- authorization to recover the filing fee of \$100.00 for this application from the Tenant under section 72 of the Act.

The Tenant's Application for Dispute Resolution under the Act for:

- a Monetary Order of \$1,415.25 for compensation for monetary loss or other money owed.

Agent MR attended the hearing for the Landlord.

Tenant PJ attended the hearing.

### **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 pay the Tenant the sum of \$471.75 via cheque by January 31, 2024.
2. The Landlord will keep the remainder of the security deposit in the amount of \$453.25.
3. These particulars comprise the full settlement of all aspects of the Landlord's and Tenant's current applications for dispute resolution.

Pursuant to section 62(3) of the Act, I make the following order:

**I ORDER** the parties to comply with their mutually settled agreement described above.

### **Conclusion**

The parties have been ordered to comply with the terms of their mutually settled agreement described above.

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 \$471.75. 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 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 Act.

Dated: January 19, 2024

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Residential Tenancy Branch