



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes MNDL-S, LRSD, FFL / MNSDS-DR, FFT

Introduction

The hearing was convened following Applications for Dispute Resolution (Applications) from both parties under the *Residential Tenancy Act* (the Act), which were crossed to be heard simultaneously.

The Landlord seeks the following:

- A Monetary Order for damage to the rental unit under section 67 of the Act;
- Authorization to retain all, or a portion, of the Tenant's security deposit under section 38 of the Act; and
- To recover cost of the filing fee for their Application from the Tenant under section 72 of the Act.

The Tenant seeks the following:

- A Monetary Order for the return their security deposit under sections 38 and 67 of the Act
- To recover the filing fee for their Application from the Landlord under section 72 of the Act.

Settlement

Per section 63 of the Act, an 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 the hearing the parties were able to reach a compromise and achieved a resolution of their dispute on mutually agreed terms.

The parties agreed to the following final and binding settlement of all issues listed in both Applications:

- The Landlord will pay the Tenant the sum of \$1,000.00.
- The Landlord is authorized to retain the remaining \$750.00 of the security deposit.
- Both parties agreed that this settlement agreement constituted a final and binding resolution to both the Landlord's claim for damage to the rental unit against the Tenant, and the Tenant's claim for the return of the security deposit.

To give effect to the settlement reached between the parties and, as discussed with them during the hearing, per section 63(2) of the Act, I issue Monetary Order to the Tenant for \$1,000.00.

As the parties have reached a settlement, I make no factual findings about the merits of these Applications before me.

As I am not deciding on the matters before me, I make no order regarding the parties' request to recover the filing fee for their Applications from the other.

Conclusion

The parties agreed to settlement on final and binding terms.

The Tenant is issued a Monetary Order for \$1,000.00. A copy of the Monetary Order is attached to this Decision and must be served on the Landlord. It is the Tenant's obligation to serve the Monetary Order on the Landlord. The Monetary Order is enforceable in the Provincial Court of British Columbia (Small Claims 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: June 07, 2024