

## **DECISION**

### **Introduction**

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear linked applications.

The Landlord's May 18, 2024 Application for Dispute Resolution under the Act is for:

- A Monetary Order for loss under the Act, the regulation or tenancy agreement, pursuant to section 67;
- An authorization to retain all or a portion of the security deposit, under section 38;
- An authorization to recover the filing fee for this application, under section 72.

The Tenant's May 29, 2024 Application for Dispute Resolution under the Act is for:

- An Order for the Landlord to return the security deposit, pursuant to section 38;
- An authorization to recover the filing fee for this application, under section 72.

### **Settlement**

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 the Tenant's application 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:

- Both parties agree that the Landlord shall return the sum of \$450.00 out of the total security and pet damage deposits to the Tenant;
  - The Landlord is authorized to retain the rest of the remaining deposits;
- To help facilitate the exchange of the Monetary Order, both parties agreed to service by email at the addresses noted on the cover page of this settlement agreement;
- Both parties agreed that these particulars comprise the full settlement of all aspects of their current applications for dispute resolution.

## Conclusion

To give effect to the above settlement reached between the parties, **I grant the Tenant a Monetary Order in the amount of \$450.00** to be served to the Landlord as soon as possible. Should the Landlord fail to comply with this Order, this Order may be filed and enforced in the Small Claims Court of British Columbia if equal to or less than \$35,000.00. Monetary Orders that are more than \$35,000.00 must be filed and enforced in the Supreme Court of British Columbia.

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: August 12, 2024

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Residential Tenancy Branch