



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

DECISION

Introduction

This hearing dealt with the Landlord's Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for compensation for damage to the rental unit, a request to retain the security deposit, and authorization to recover the filing fee for this application from the Tenant under section 72 of the Act.

This hearing also concerned the Tenant's Application under the Act for return of the security deposit and authorization to recover the filing fee for the application from the Landlord under section 72 of the Act.

During the hearing 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 the parties respective applications and the issues in dispute arising out of this tenancy at this time and that they did so knowingly, voluntarily and free of any element of duress or coercion, the Landlord's agent confirming her authority to settle on behalf of the Landlord accordingly:

1. Both parties agreed to an equal division of the Tenant's security deposit in the amount of \$1,550.00 held in trust by the Landlord plus accrued interest in the amount of \$52.16.
2. The Landlord agreed to pay the Tenant's one-half share of the security deposit and accrued interest the Landlord holds in trust in the amount of \$801.08 to the Tenant upon the Tenant's service of the monetary order as detailed below.
3. Both parties agreed these particulars comprise the full settlement of all aspects of the parties' respective applications for dispute resolution.

Conclusion

To give effect to the above settlement reached between the parties, I grant a Monetary Order in the Tenant's favor in the amount of \$801.08. The Tenant is provided with this Order and the Landlord must be served with a copy of the Order as soon as possible. Should the Landlord fail to comply with these Order, these Order may be filed in the Small Claims Division of the Provincial Court and enforced as Orders of that Court.

This decision is issued on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: October 04, 2024

Residential Tenancy Branch