



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

### **Introduction**

This reconvened hearing deal with the Tenant's Application for Dispute Resolution (Application) under the *Residential Tenancy Act* (the Act) for double their security deposit under section 38(6) of the Act.

A previous hearing took place on September 10, 2024. This Decision should be read in conjunction with the interim decision dated September 10, 2024.

The Landlord and legal counsel for the Tenant attended this reconvened hearing.

### **Analysis**

Per section 63 of the Act, an arbitrator may assist the parties to settle their dispute. Section 64.2 of the Act states that 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.

At the outset of the reconvened hearing, the parties indicated that since the previous hearing they had achieved a resolution of this dispute on mutually agreed terms.

Both parties agreed to the following final and binding settlement of all issues before me:

- The Tenant will withdraw their claim against the Landlord for double the security deposit under section 38(6) of the Act.
- On or before December 15, 2024, the Landlord will pay to the Tenant the sum of \$3,000.00.
- The Landlord may pay the above-mentioned sum to the Tenant's lawyer via e-transfer to hold in trust for the Tenant.

- Both parties agreed that this settlement agreement constituted a final and binding resolution of the Tenant's Application under section 38(6) of the Act.

To give effect to the settlement reached between the parties and as discussed with them during the hearing, per section 64.2 of the Act, I issue a Monetary Order to the Tenant for \$3,000.00.

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

### Conclusion

The parties agreed to settlement on final and binding terms.

To put into effect the terms of the settlement, the Tenant is issued a Monetary Order for \$3,000.00. 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: November 15, 2024

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Residential Tenancy Branch