

DECISION

Introduction

This hearing dealt with the Landlord's Application for Dispute Resolution under the *Residential Tenancy Act* (the Act) for:

- a Monetary Order for unpaid utilities
- a Monetary Order for damage to the rental unit or common areas
- authorization to retain all or a portion of the Tenant's security deposit in partial satisfaction of the Monetary Order requested
- authorization to recover the filing fee for this application from the Tenant

During the hearing the parties were offered an opportunity to settle their dispute, and reached an agreement on all issues.

Analysis

Under section 63 of the Act, the Arbitrator may assist the parties to settle their dispute.

Both parties voluntarily agreed to the following terms of a final and binding settlement:

1. The Landlord will retain \$168.13 from the Tenant's security deposit for unpaid utilities, as agreed upon by the parties prior to this dispute resolution.
2. The Landlord will retain \$64.46 from the Tenant's security deposit for the cost of paint for the bathroom in the rental unit.
3. The Landlord will return the remaining balance of the security deposit, plus interest, for a total \$707.39 to the Tenant, calculated as follows:
 - a. Tenant's deposit, plus interest = \$939.98
 - b. Landlord's deductions \$168.13 + \$64.46 = \$232.59
 - c. Deposit – deductions \$939.38 - \$232.59 = 707.39 returned to Tenant
4. Both parties agreed that these terms are the full and final settlement of all aspects of the Landlord's current application for dispute resolution.

Conclusion

To give effect to the above settlement, I make the following Orders:

I Order the Landlord to retain **\$232.59** from the Tenant's security deposit, in full and final satisfaction of their claims.

I grant the Tenant a Monetary Order of **\$707.39**, for the return of the remaining balance of their security deposit, plus interest. The Tenant must serve this Order to the Landlord. If the Landlord does not pay, this Order may be filed and enforced in the Provincial Small Claims 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: November 25, 2024

Residential Tenancy Branch