



## DECISION

Dispute Codes      **MNRL-S, MNDL-S, MNDCL-S, LRSD, FFL  
MNSDS-DR**

### Introduction

This hearing dealt with an application by the landlord under the *Residential Tenancy Act* (the *Act*) for the following:

- A monetary order for unpaid rent and for compensation for damage or loss under the *Act*, *Residential Tenancy Regulation* ("*Regulation*") or tenancy agreement pursuant to section 67 of the *Act*;
- Authorization to retain all or a portion of the tenant's security deposit in partial satisfaction of the monetary order requested pursuant to section 72 of the *Act*;
- An order requiring the tenant to reimburse the landlord for the filing fee pursuant to section 72.

This hearing also dealt with an application by the tenant under the *Residential Tenancy Act* (the *Act*) for the following:

- An order for the landlord to return the security deposit pursuant to section 38;

The Landlord(s) attended.

The Tenant E.H. attended with the advocate S.P.

During the hearing the parties settled 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 Landlord'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:

### **The parties agreed as follows:**

- 1) The landlord will pay the Tenant the amount of **\$498.86** in full and final satisfaction of the Tenant's claim.
- 2) The Landlord will retain the balance of the security deposit (\$1,250.00) and interest in full and final satisfaction of the Landlord's claim.
- 3) Both parties agreed that these particulars comprise the full settlement of all aspects of the Landlord's current application for dispute resolution.

Based on the above, I find that all matters between these parties raised in this application are resolved pursuant to the above agreed terms.

### **Conclusion**

To give effect to the above settlement reached between the parties, I grant a Monetary Order in the Tenant's favour in the amount of \$498.86. The Tenant is provided with this Order and the Landlord must be served with a copy of this Order as soon as possible.

Should the Landlord fail to comply with this Order, this Order may be filed and enforced in the Provincial Court of British Columbia (Small Claims Court) 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 *Residential Tenancy Act*.

Dated: January 17, 2025

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Residential Tenancy Branch