

DECISION

This hearing was scheduled to deal with applications for Dispute Resolution from both the Landlord and the Tenant.

The Landlord's Application for Dispute Resolution under the *Residential Tenancy Act* (the Act) is for:

- a Monetary Order for damage to the rental unit or common areas under sections 32 and 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 under section 38 of the Act
- authorization to recover the filing fee for this application from the Tenant under section 72 of the Act

The Tenants' Application Dispute Resolution under the *Residential Tenancy Act* (the Act) is for:

- a Monetary Order for or loss or other money owed under section 67 of the Act
- A Monetary Order for the return their security deposit under sections 38 and 67 of the Act;
- an order requiring the landlord to return the tenant's personal property under section 65 of the Act
- authorization to recover the filing fee for this application from the Landlord under section 72 of the Act

The Landlord's Agent J.H. and the Tenant A.F. attended the hearing.

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 both the Landlord and the Tenant's applications 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:

1. Both parties agreed that the Landlord will return to the Tenant \$625.00 of the Tenant's security deposit.
2. The Landlord will retain the remainder of the Tenant's security deposit.
3. Both parties agreed that these settlement terms comprise the full settlement of all issues contained in both of their applications for dispute resolution.

The decision to order payment of the filing fees is discretionary upon the arbitrator and since these matters were settled by agreement, I decline to order that the filing fees be recovered.

Conclusion

In order 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 \$625.00. 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 in the Small Claims Division of the Provincial Court and enforced as Orders of that 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: June 19, 2025

Residential Tenancy Branch