

DECISION

Introduction

The hearing was convened following Applications for Dispute Resolution (Applications) from both parties under the *Residential Tenancy Act* (the Act), which were crossed to be heard simultaneously.

In their Application, the Tenant seeks:

- A Monetary Order for the return of all or a portion of their security deposit under sections 38 and 67 of the Act; and
- Authorization to recover the filing fee for their Application from the Landlord under section 72 of the Act.

In their Application, the Landlords seek:

- A Monetary Order for unpaid rent under sections 26 and 67 of the Act;
- Authorization to retain all or a portion of the Tenants' security deposit under section 38 of the Act; and
- Authorization to recover the filing fee for their Application from the Tenants under section 72 of the Act.

Parties attended the hearing for both the Landlords and the Tenants. Words using the singular shall also include the plural and vice versa where the context requires.

Service of Notice of Dispute Resolution Proceeding and Evidence

The parties each confirmed receipt of the Notice of Dispute Resolution Proceeding Package for the other's Application and the other's evidence. Given this, I find that these records were served as required under sections 88 and 89 of the Act.

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.

During the hearing the parties were able to reach a compromise and achieved a resolution of this dispute on mutually agreed terms.

Both parties agreed to the following final and binding settlement of all issues listed in both Applications:

- The Landlords are authorized to retain the Tenants' security deposit of \$2,250.00 they paid on June 7, 2024, plus accrued interest.
- The Tenants will compensate the Landlords \$4,500.00.
- The Tenants will pay the above-mentioned sum of \$4,500.00 in four equal installments of \$1,125.00 on or before the following dates:
 - July 1, 2025
 - August 1, 2025
 - September 1, 2025
 - October 1, 2025
- Neither party will be responsible for the filing fee for the other's Application.
- Both parties agreed that this settlement agreement constituted a final and binding resolution of both Applications before me.

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 Landlords for \$4,500.00

As the parties have reached a settlement, I make no factual findings about the merits of either Application. In this case, as the parties have reached a settlement of their dispute on mutually agreed terms and I am not deciding on the matter, I find it is appropriate for the filing fees for both Applications to be refunded.

Conclusion

The parties agreed to settlement on final and binding terms.

The Landlords are issued a Monetary Order for \$4,500.00. A copy of the Monetary Order is attached to this Decision and must be served on the Tenants as soon as

possible. It is the Landlords' obligation to serve the Monetary Order on the Tenants. The Monetary Order is enforceable in the Provincial Court of British Columbia (Small Claims Court) if the terms of the payment plan outlined in the settlement agreement are not met by the Tenants.

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 9, 2025

Residential Tenancy Branch