

Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

DECISION

Dispute Codes: MNDC, RP, RR, FF

This was an application by the tenant for compensation in the form of a rent reduction for the loss of use of the sole elevator in the landlord's high-rise apartment building due to necessary repairs. During the hearing, the tenant confirmed that the elevator is back in service as of yesterday.

The tenant withdrew her claim for compensation for damage or loss under the *Act*, regulation or tenancy agreement. Therefore, the sole issue for consideration in this case is whether the rent reduction of 10% offered to the tenant reflects the value of the tenancy.

During the hearing, both parties reached an agreement to settle with the following terms and conditions:

1. The landlord agrees to refund to the tenant 22% of her monthly rent of \$870 for August. He also agrees to refund to the tenant an amount for September calculated in accordance to the same formula and prorated to the date of when the elevator is back in service.
2. The landlord also agrees to refund to the tenant the cost of this application in the amount of \$50.00.

As no further action is required on this file, the file is closed.

Dated September 25, 2008.