

DECISION

Dispute Codes: MNDC, RPP, OPT, AAT and FF

Introduction

This application was brought by the tenants seeking a Monetary Order for damage or loss under the legislation or rental agreement, return of personal property, an Order of Possession, and recovery of the filing fee for this proceeding.

At the commencement of the hearing, the landlord raised a preliminary question as to whether the second tenant who had been added to the application when it was amended should be dealt with as she occupied another rental unit in the same building under a separate rental agreement. I deferred a decision on the question until the evidence indicated whether the claims had sufficient issues in common to warrant them being heard together.

Background and Evidence

The matters in dispute arose from ongoing renovations in the rental building from late April 2009 to mid-September 2009 necessitated by the discovery of mold. Renovations included a new roof, windows, blown insulation, removal of carpets, repainting, etc.

The rental building contains up to six living units and utilities are divided equally among the tenants. The primary applicant pays \$390 per month in rent and the secondary

applicant pays \$415. The landlord holds security deposits of \$195 and \$187.50 respectively.

The primary applicant claimed for loss of use of her room for about five weeks, some loss of personal property, and loss of quiet enjoyment of the common areas of the rental building. The secondary applicant claimed for loss of personal property and loss of quiet enjoyment of the common areas.

Consent Agreement

During the hearing, the parties crafted the following consent agreement:

1. The landlord agrees to pay the tenants \$500 each;
2. Such payment includes the tenants' recovery of the \$50 application fee for this proceeding;
3. This payment constitutes full and final settlement of all claims brought forward in the application and all matters pertaining to these tenancies to this date.

To perfect the consent agreement, each of the tenants' copies of this decision is accompanied by a Monetary Order, enforceable through the Provincial Court of British Columbia for \$500.