

Decision

Dispute Codes: MND, MNDC, RP, RR, FF

Introduction

This hearing dealt with two applications: i) by the tenant for a monetary order as compensation for damage or loss under the Act, regulation or tenancy agreement / an order instructing the landlords to make repairs to the unit, site or property / authorization permitting the tenant to reduce rent for repairs, services or facilities agreed upon but not provided / and recovery of the filing fee; ii) by the landlords for a monetary order as compensation for damage to the unit, site or property / a monetary order as compensation for damage or loss under the Act, regulation or tenancy agreement / and recovery of the filing fee.

Both parties participated in the hearing and gave affirmed testimony.

Issues to be decided

- Whether either party is entitled to any of the above under the Act, regulation or tenancy agreement

Background and Evidence

The first stage of the tenancy commenced on or about October 16, 2005, when only the top portion of the house was rented. The second stage of the tenancy commenced on or about August 1, 2007 when the entire house was rented. The third and current stage of the tenancy concerning rental of the entire house commenced pursuant to a written tenancy agreement for the fixed term between August 1, 2010 and February 28, 2011.

Presently, rent in the amount of \$2,960.00 is payable in advance on the first day of each month. The parties recollect that the first installment of a security deposit was collected on or about October 16, 2005 in the amount of \$900.0, and that a second installment

was collected on or about August 1, 2007 in the amount of \$535.00 (total collected: \$1,435.00).

During the hearing the parties very respectfully exchanged views on some of the circumstances surrounding the dispute and undertook to achieve a resolution.

Analysis

The full text of the Act, regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: www.rto.gov.bc.ca/

Section 63 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution. Specifically, it was agreed as follows:

- that both parties withdraw all aspects of their respective applications;
- that the tenancy continues in full force and effect with both parties undertaking to honour the terms of the written residential tenancy agreement currently in place between them;
- that the above agreement reflects full and final settlement of all aspects of the dispute for both parties, which arise from this tenancy and which are currently before me.

Conclusion

Pursuant to the above agreement, both applications are hereby dismissed.

DATE: September 27, 2010

Dispute Resolution Officer