



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes:

MNDC, RPP, RR, FF

Introduction

This hearing was scheduled in response to the tenant's Application for Dispute Resolution, in which the tenants have made application for compensation for damage or loss under the Act, that the landlord be ordered to provide service or facilities required by law, that the tenants be allowed to reduce rent for services agreed upon but not provided and to recover the filing fee from the tenant for the cost of this Application for Dispute Resolution.

Both parties were present at the hearing. At the start of the hearing I introduced myself and the participants. The hearing process was explained, evidence was reviewed and the parties were provided with an opportunity to ask questions about the hearing process. They were provided with the opportunity to submit documentary evidence prior to this hearing, all of which has been reviewed, to present affirmed oral testimony evidence and to make submissions during the hearing.

Mutually Settled Agreement

The parties agreed to the following:

- The tenants are entitled to rent abatement from December, 2009 to October 2010, in the sum of \$50.00 per month;
- That the rent abatement is in recognition of the in-house amenities advertised but not provided, including a gym, lounge, guest suite and games room;
- That the tenants will deduct \$550.00 from November, 2010, rent owed for abatement to date;
- That the tenants will deduct an additional \$25.00 from November rent as partial reimbursement of the filing fee paid for this hearing; and
- That if the gym and lounge are not fully usable by November 1, 2010, the tenants will deduct a further \$50.00 from November, 2010, rent owed.

The landlord read from a copy of the tenancy agreement which indicated that this fixed-term tenancy ends on November 30, 2010; that the tenants must move out and at which point a new tenancy agreement will be considered.

Conclusion

The parties reached a mutually settled agreement.

I have made no findings in relation to this Application.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: October 05, 2010.

Dispute Resolution Officer