



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MNDC

Introduction

This hearing dealt with the tenant's application for a Monetary Order for damage or loss under the Act, regulations or tenancy agreement. Both parties appeared at the hearing and confirmed service of documents upon them. Both parties were provided the opportunity to make submissions, in writing and orally, and to respond to the submissions of the other party.

Issue(s) to be Decided

1. Has the tenant established an entitlement to monetary compensation from the landlord for damage or loss under the Act, regulation or tenancy agreement?
2. Can the parties reach a mutual resolution to this dispute?

Background and Evidence

This dispute involved a cottage located on a residential property that was flooded on February 17, 2009. The cause of the flood was a break in the city water main. The tenant made an application for compensation for costs associated to loss of use of the rental unit, moving costs, hydro charges, and recovery of five days of rent paid at the commencement of the tenancy.

During the hearing, the parties were able to reach a mutual agreement to resolve this dispute. The parties agreed that the landlord will pay and the tenant will accept \$135.00 in final settlement of this claim.

Analysis

I accept the settlement reached between the parties and make it an order to be binding upon both parties. Accordingly, the landlord is ordered to pay the tenant \$135.00 forthwith. The tenant is provided a Monetary Order in the amount of \$135.00 to ensure payment is made.



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Conclusion

This dispute has been settled by mutual agreement between the parties. The tenant has been provided a Monetary Order in the amount of \$135.00.

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: December 23, 2010.

Residential Tenancy Branch