



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC AS RR FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants to obtain Orders to have the Landlord comply with the Act, regulation or tenancy agreement, to allow the Tenants to assign or sublet the rental unit, to allow the Tenants reduced rent for repairs, services, or facilities agreed upon but not provided, and to recover the cost of the filing fee from the Landlord for this application.

The parties appeared at the teleconference hearing, gave affirmed testimony, were provided the opportunity to present their evidence orally, in writing, and in documentary form.

Issue(s) to be Decided

1. Has the Landlord breached the *Residential Tenancy Act*, Regulation or tenancy agreement?
2. Have the Tenants met the burden of proof to be granted Orders to allow them to sublet the unit and allow them reduced rent?

Background and Evidence

I heard undisputed testimony that the Tenants entered into a written month to month tenancy agreement with the previous owner that began on April 1, 2010. The current monthly rent is \$1,200.00 payable on the first of each month and the Tenants paid \$600.00 to the previous owner for the security deposit. No pet deposit was requested however the original tenancy agreement indicated the Tenants had two dogs and four cats at the outset of the tenancy.

The Tenants confirmed they currently have one dog and six cats. They have withheld June, July and August 2011 rent totalling \$3,600.00 (3 x \$1,200.00) from the new owner until they could come to an arrangement. During the course of the hearing the parties agreed to settle these matters.

Analysis

The parties agreed to settle these matters on the following terms:

- 1) The Tenants agree to withdraw their application for dispute resolution; and
- 2) The parties agree to meet at the rental unit on Thursday September 1, 2011 at 9:00 a.m. to conduct a walkthrough of the rental property to determine a course of action for maintenance and repairs; and
- 3) The Tenants agree to pay their June, July and August rent in full in the amount of \$3,600.00 (3 x \$1,200.00) to the Landlord when he attends the rental unit on September 1, 2011 at 9:00 a.m.

As the matter was settled I decline to award recovery of the filing fee.

Conclusion

This file is now closed. No further action is required as these matters have been settled.

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: August 30, 2011.

Residential Tenancy Branch