



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MND, RR

Introduction

This hearing was convened by way of conference call in response to an application made by the tenant for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement and for an order reducing rent for repairs, services or facilities agreed upon but not provided.

An agent for the landlord company and the tenant attended the conference call hearing, gave affirmed testimony and were given the opportunity to cross examine each other on their evidence.

During the course of the hearing the parties agreed to settle this dispute on the following conditions:

1. The tenant will have a rent reduction in the amount of \$45.00 commencing November 1, 2011 for the loss of use of the natural gas fireplace;
2. Rent is set at \$640.00 per month (exclusive of parking fees) effective November 1, 2011;
3. Any rent increases will be based on the monthly rent of \$640.00;
4. If the tenant learns that other tenants pay a monthly fee for the use of a natural gas fireplace in their rental units within the complex, the tenant will be at liberty to apply for dispute resolution for a further rent reduction and the landlord's good faith intentions will be an issue.

As no further action is required on this file, the file is closed.

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 28, 2011.

Residential Tenancy Branch