



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP RP RR

Introduction

This hearing was convened as a result of the tenant's application for dispute resolution under the *Residential Tenancy Act* (the "Act"). The tenant applied for an order directing the landlord to make emergency repairs for health or safety reasons, to make repairs to the unit, site or property, and for authorization for the tenant to reduce rent for repairs, services or facilities agreed upon but not provided.

The tenant, a legal advocate for the tenant, two agents for the landlord, and a maintenance person for the landlord, and a witness for the tenant attended the hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

The agent for the landlord confirmed receiving the evidence package from the tenant and that they had the opportunity to review the evidence prior to the hearing. The agent stated that the landlord did not serve any evidence on the tenant in response to the tenant's application. I find the landlord was served in accordance with the *Act*.

Settlement Agreement

During the hearing, the parties agreed to settle these matters, on the following conditions:

1. The landlord agrees to have a second maintenance person attend the rental unit to determine if he can fix the problem with the thermostat and the hot water heating system by **February 26, 2013**.
2. If the second maintenance person is unable to determine the problem and how to fix the problem as per #1 above, the landlord agrees to arrange for a licensed

contractor who specializes in hot water heating to attend and repair the thermostat and hot water heating system by **March 8, 2013**.

3. The parties agree that the tenant is entitled to a one-time rent reduction in the amount of **\$388.57** (which is the equivalent of ½ of a month's rent) as compensation for the ongoing problems with the thermostat and hot water heating system to date, **which is to be deducted from March 2013 rent**.
4. The parties agree that this settled agreement represents a full and final settlement of all matters related to this tenancy up to the date of this hearing and agreement.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Conclusion

I order the parties to comply with the terms of this settled agreement.

The tenant is authorized to deduct \$388.57 from March 2013 rent as a one-time rent reduction.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: February 25, 2013

Residential Tenancy Branch

