



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Burnaby Centre
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDC, RR and FF

Introduction

This hearing was convened on an application made by the tenant on March 5, 2013 seeking monetary compensation for loss of quiet enjoyment, loss of employment income and clothes cleaning costs as a result of a plumbing renovation in the rental building.

As a matter of notice, under such circumstances, the *Act* makes no provision to award loss of employment income.

Issue(s) to be Decided

Is the tenant entitled to compensation and, if so, in what amount.

Background and Evidence

This tenancy began April 1, 2012. Rent is \$1,205 per month plus \$45 parking and the landlord holds a security deposit of \$602.50.

During the hearing, the parties gave evidence that workers had been in the rental unit for slightly more than 33 hours in total over eight days between February 15, 2013 and March 12, 2013 as part of a major overhaul of the plumbing system in two large rental buildings. For much of that period there had been cut outs in the walls and ceiling.

Settlement Agreement

Section 63 of the Act provides that:

- (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or an order.

In the present case, in full consideration of no fault on either party, the landlord and tenant agreed to resolve matters by the landlord granting the tenant rent abatement in the amount of \$300 as full and final settlement of the claim.

I hereby authorize and order that the tenant may recover the \$300 by withholding it from his next due rent payment.

The parties are commended for their understanding the effects of this very substantial but necessary renovation on each other.

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: April 02, 2013

Residential Tenancy Branch