



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Homelife Peninsula Property Management
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNR, MNDC, FF

Introduction

This was a hearing with respect to the tenants' application for a monetary order. The hearing was conducted by conference call. The named tenant and the landlord's representative called in and participated in the hearing.

Issue(s) to be Decided

Are the tenants entitled to a monetary award and if so, in what amount?

Background and Evidence

The rental property is a house in White Rock. The tenancy began October 1, 2011 for a fixed term. The monthly rent was \$1,500.00. The tenants paid a \$750.00 security deposit at the commencement of the tenancy. The tenants signed a second fixed term tenancy agreement for a one year term ending September 30, 2013. The landlord is a property management company who acts for the undisclosed owners of the rental property. The tenants moved out of the rental property in December 2012, before the end of the tenancy due to a lack of repairs and problems with mould and rodents in the rental unit.

In their application for dispute resolution the tenants have claimed compensation in the amount of \$3,275.00. The tenants' claims is for compensation for the cost of what is claimed to be emergency repairs to the rental property that were performed after the landlord failed to repair the defects or obtain the permission of the owners to perform repairs to the rental property. The tenants claimed that the repairs to the entrance and deck were necessary because of the dangerous and hazardous condition of the rental property. The tenants claimed compensation due to heaters that did not work, for materials to perform various necessary repairs that the landlord had been unable to obtain permission or funding from the owners to perform and for damage to their

furniture due to water leaks into the rental unit from the deck and elsewhere of which the landlord and property owners were aware but failed to repair.

Analysis and Conclusion

During the hearing the parties were afforded an opportunity to discuss the settlement of the tenants' monetary claim. The landlord offered and the tenant agreed to accept the sum of \$1,388.00 plus payment of half the \$50.00 filing fee for the tenants' application, for a total of \$1,413.00, in full and final satisfaction of all of the tenants' claims arising out of the tenancy. The parties agreed that the settlement would be incorporated into a binding decision and order

Pursuant to the agreement of the parties I grant the tenant a monetary order under section 67 of the *Residential Tenancy Act* in the amount of \$1,413.00. This order may be filed in the Small Claims Court and enforced as an order of that court.

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: June 14, 2013

Residential Tenancy Branch

