



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC 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 for a monetary order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement, and for authorization to reduce rent for repairs, services or facilities agreed upon but not provided.

The tenant and the landlord 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 landlord confirmed that he received the tenant's evidence prior to the hearing and that he had the opportunity to review that evidence prior to the hearing. The landlord confirmed that he did not submit any evidence 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 parties agree that the landlord will compensate the tenant **\$600.00** for lack of hot water in the rental unit bathroom and "spongy" flooring. The landlord will pay the tenant by cheque at the move-out inspection scheduled for **April 2, 2014 at 5:00 p.m.**
2. The parties agree that the tenancy will end on **April 2, 2014 at 1:00 p.m.**
3. The landlord is granted an order of possession effective **April 2, 2014 at 1:00 p.m.** The tenant must be served with the order of possession.

4. The tenant is granted a monetary order pursuant to section 67 of the *Act* in the amount of **\$600.00** which will be of no force or effect until **April 2, 2014**, and will be of no force or effect if the landlord pays the tenant in accordance with #1 above, and the cheque is successfully cashed by the tenant.
5. The tenant withdraws his application in full as part of this mutually settled 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 their settlement agreement described above.

The landlord has been granted an order of possession effective April 2, 2014 at 1:00 p.m. This order must be served on the tenant and the order of possession may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

The tenant is granted a monetary order pursuant to section 67 of the *Act* in the amount of \$600.00 which will be of no force or effect until April 2, 2014, and will be of no force or effect if the landlord pays the tenant in accordance with #1 above, and the cheque is successfully cashed by the tenant. Should the tenant need to enforce the monetary order after April 2, 2014, the monetary order must be served on the landlord and may be filed in the Provincial Court (Small Claims) and enforced as an order of that court.

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: December 16, 2013

Residential Tenancy Branch

