



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MNDC, RPP, RP, FF

### Introduction

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

I find that the Application for Dispute Resolution/Notice of Hearing was personally served on the landlord on January 13, 2014.

### Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order for repairs?
- b. Whether the tenant is entitled to an order for the return of the tenant's personal property?
- c. Whether the tenant is entitled to a monetary order?

### Background and Evidence

In April 2011 the tenants moved into a rental unit in the rental property. On December 1, 2013 a fire occurred into another unit which required that the tenant vacate the rental unit because of water and smoke damage. The tenants moved into the rental unit

which is the subject of this application in early April 2013. The tenancy began on April 1, 2012. The rent is \$940 per month payable in advance on the first day of each month. The tenants paid a security deposit of \$470 on March 8, 2013.

The Application for Dispute Resolution filed by the tenants claims a repair order, an order for the return of personal property and a monetary order in the sum of \$2410 for goods that went missing after the fire.

Settlement:

At the end of the hearing the parties reached a settlement and they asked that I record the settlement pursuant to section 63(2) of the Residential Tenancy Act as follows:

- a. The landlord shall replace the stove within 2 weeks of the date of this order.
- b. The tenants withdraw their claim for repair of the balcony on a without prejudice basis and the parties shall monitor and investigate the situation with a view to resolving it through agreement. The tenant retains the right to file another claim if the parties are unable to resolve this problem.
- c. The tenants release and discharge the landlord from all monetary claims raised in this Application for Dispute Resolution.

**As a result of the settlement I ordered that the landlord replace the stove within two weeks of the date of this order.**

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: February 24, 2014

---

Residential Tenancy Branch

