



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, ERP

Introduction

This hearing was convened in relation to the tenants' application for.

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice) pursuant to section 46; and
- an order to the landlord to make emergency repairs to the rental unit pursuant to section 33.

The tenant FAK (the tenant), the tenants' advocate and the tenant's interpreter appeared. The landlord's agent appeared. The landlord's agent is an employee of the landlord and the resident manager for the rental unit.

At the beginning of the hearing the landlord's agent acknowledged that the 10 Day Notice was cancelled by the tenants' payment on 9 January 2015. The tenant acknowledged that the fridge had been replaced and appeared to be working. On this basis, the tenants' advocate proposed a settlement. The landlord and tenants agreed to a series of conditions.

Analysis

Pursuant to section 63 of the Act, an arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

During this hearing, the parties reached an agreement to settle their dispute under the following final and binding terms:

1. The tenants agreed to withdraw their application.

2. The landlord agreed to repair the heat to the rental unit.
3. The landlord agreed to arrange a maintenance person to attend at the rental unit within 24 hours.
4. The tenants agreed that the maintenance person could enter the rental unit if the tenants were not at the rental unit to let the maintenance person in.
5. The landlord agreed that if the heat was not fixed by 28 February 2015, the tenants could bring an additional application to the Residential Tenancy Branch.

The parties agreed that these particulars comprise the full and final settlement of all aspects of their disputes for both parties.

Conclusion

The tenants' application is withdrawn. The landlord's 10 Day Notice is cancelled.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: January 30, 2015

Residential Tenancy Branch

