



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Gilbert Gulfreund and Sutton Advantage Property Management
and [tenant name suppressed to protect privacy]

DECISION

Codes: MNDC, OLC, ERP, RP

Introduction:

This was an application by the tenants for compensation for loss of quiet enjoyment and use of a bedroom resulting from water damage to a bedroom originating from an exterior roof of the unit. The tenants and landlord attended the hearing.

Background:

A tenancy began on September 1, 2014 with rent in the amount of \$ 1,600.00 due in advance on the first day of each month. As a result of rain damage emanating from the roof, one of the tenants' bedroom ceiling was damaged allegedly making it uninhabitable for approximately one month.

Settlement:

The parties settled this matter and they have asked that I record the agreement pursuant to section 63(2) as follows:

- a. The landlord promises to complete painting of the second bedroom by March 31, 2015, and
- b. In satisfaction for all monetary claims the tenants made in this application, the landlord will compensate the tenants the sum of \$ 600.00 for the loss of use of the second bedroom and the breach of the covenant of quiet enjoyment caused by the water leak to the ceiling of the bedroom emanating from the exterior roof.

Conclusion:

As a result of the settlement I granted the tenants a monetary Order in the amount of \$ 600.00. This order may be filed in the Small Claims Court and enforced as an order of that Court. There shall be no order as to reimbursement of the filing fee. I have dismissed all applications for the repair of the unit with leave and all other claims without leave to reapply.

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: March 17, 2015

Residential Tenancy Branch

