



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNDC, RR

Introduction

The Application for Dispute Resolution filed by the tenants seeks the following:

- a. A monetary order in the sum of \$119.62
- b. An order for the reduction of rent.
- c. An order to recover the cost of the filing fee.

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 September 2, 2015.

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the tenants are entitled to a monetary order and if so how much?
- b. Whether the tenants are entitled to an order for the reduction of rent?
- c. Whether the tenants are entitled to recover the cost of the filing fee?

Background and Evidence

The tenancy began on August 1, 2013. The rent was \$875 per month payable in advance on the first day of each month. The tenants paid a security deposit of \$437.50 and a pet damage deposit of \$437.50 at the start of the tenancy. The tenancy agreement provided that television was included with the rent.

The rent was increased to \$890 on January 1, 2015.

In February and March 2015 the tenant received bills from Telus for television service totalling \$119.62. The tenants cancelled this account in late March or early April.

On June 15, 2015 the landlord the landlord and tenant agreed that in consideration of the payment of \$500 from the landlord to the tenant the parties agreed that Telus TV would no longer be a service provided by the landlord. This sum was paid to the tenants in August 2015.

The tenants gave the landlord notice and vacated the rental unit on October 31, 2015.

The tenants claim is in the sum of \$169.62 including the cost of the filing fee.

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 pay to the Tenant the sum of \$85.
- b. This is a full and final settlement of the tenants' claim in this Application for Dispute Resolution.
- c. The return of the security deposit shall be dealt with in accordance with the Residential Tenancy Act.

As a result of the settlement I ordered the landlord(s) to pay to the tenants the sum of \$85.

It is further Ordered that this sum be paid forthwith. The applicant is given a formal Order in the above terms and the respondent must be served with a copy of this Order as soon as possible.

Should the respondent fail to comply with this Order, the Order may be filed in the Small Claims division of the Provincial 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: November 04, 2015

Residential Tenancy Branch

