



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding SIEGLE PROPERTIES
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes ERP PSF RR RP FF

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* ("the Act") for an order to the landlord to provide services or facilities required by law pursuant to section 65; an order to the landlord to make emergency repairs to the rental unit pursuant to section 33; an order to allow the tenant(s) to reduce rent for repairs, services or facilities agreed upon but not provided, pursuant to section 65; and authorization to recover the filing fee for this application from the landlord pursuant to section 72.

Both parties attended the hearing and were given an opportunity to be heard, to present sworn testimony and to make submissions. The landlord confirmed receipt of the other tenants' application for dispute resolution and supporting materials. One tenant ("the tenant") attended on behalf of both tenants. Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Background and Evidence

This tenancy began three years ago. The rental amount of \$1200.00 is payable each month. The tenant testified that he continues to reside in the rental unit. The tenant submitted an application for emergency repairs and a rent reduction as a result of the outstanding repairs. On attending this hearing, he acknowledged that the landlord had, after the filing of his application, taken action to resolve the ongoing repair issue. The landlord testified that the issue was a problem for all of the residents of the 30 year old building and that it had now been fully addressed.

The tenant indicated that he no longer required an order for repairs.

The landlord indicated that he would reimburse the tenant for the cost of his filing fee.

Analysis

Pursuant to section 63 of the *Act*, the 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. Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a decision:

The Parties mutually agreed as follows:

1. The landlord agreed to pay the tenant \$100.00 on May 15, 2016 by 1.00 pm.
2. The landlord agreed to address any further repair requests in compliance with the *Residential Tenancy Act* and Regulations.
3. These terms comprise the full and final settlement of all aspects of this dispute for both parties.

Conclusion

To give effect to the settlement reached between the parties, I issue a monetary order in favour of the tenant in the amount of \$100.00. This monetary order is to be used only in the event that the landlord does not pay the tenant in accordance with the above agreement.

The tenant is provided with this Order in the above terms and the landlord must be served with this Order as soon as possible. Should the landlord fail to comply with this Order, this 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: May 12, 2016

Residential Tenancy Branch