



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Cascadia Apartment Rentals Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDC, OLC, RP, FF.

Introduction:

The tenant has applied for compensation for loss of quiet enjoyment, compensation for loss personal property, an order that the landlord comply with the Act, an order to make repairs and an Order to compel the landlord to make repairs to the unit. Both parties were represented at the conference call hearing.

Facts:

A tenancy began on August 22, 2014 with AP and PW. PW moved out in December 2014 and BC moved in with the tenant thereafter. The rent is \$ 1,435.00 per month. This matter dealt with a mould infestation which was first detected in November 2015. The applicant claimed for the loss of property, rent reduction and repairs to be made as a result of the infestation.

Settlement:

The parties settled this matter and I have recorded the agreement pursuant to section 63(2) that the landlord agree to the following terms:

- a. The tenant will be permitted to reduce the next rental payment by the amount of \$ 1,400.00 as compensation for the loss of quiet enjoyment from November 2015 to date,
- b. The landlord will pay the tenant AP the sum of \$ 298.96 representing compensation for the replacement of 3 pieces of Ikea furniture damaged by mould,
- c. The landlord agrees to take three pairs of the tenant's foot wear to a cobbler to be cleaned. In the event that it is determined by the cobbler that they cannot be cleaned, the landlord agrees to compensate the tenant the sums of \$ 213.75, \$ 74.99, and \$ 144.99 for the respective shoes which cannot be cleaned,

- d. The landlord agrees to the following repairs to be completed by July 31, 2016:
1. Clean the window sills in the second bedroom,
 2. Disassemble and clean the baseboard heaters in the second bedroom,
 3. Repair and properly install the internet port in the master bedroom, and
 4. Paint both bedroom walls and baseboards.

Conclusion:

As a result of the settlement I have permitted the tenant to deduct \$ 1,400.00 from the next rental payment to satisfy paragraph a. aforementioned. I granted the tenant a monetary Order in the amount of \$ 298.96 to satisfy paragraph b. aforementioned. There will not be recovery of the filing fee as it was not part of the settlement. I have dismissed the tenant's claim for compensation for quiet enjoyment from November 2015 to date. The tenant has leave to reapply if paragraph c. aforementioned is not satisfied or repairs in paragraph d. not made.

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: June 14, 2016

Residential Tenancy Branch