



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Leonic Investments Inc
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDC, MNR, RR, FF

Introduction

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the "Act") for Orders as follows:

1. A Monetary Order for compensation - Section 67;
2. A Monetary Order for emergency repairs - Section 67;
3. An Order for a rent reduction - Section 65; and
4. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing and gave evidence under oath. The Tenant clarified that it was only seeking compensation in relation to the loss of the elevator and was only seeking a repair to the thermostat. During the Hearing the Parties settled the dispute.

Agreed Facts

The tenancy began on December 1, 2014. Rent of \$850.00 is payable in advance on the first day of each month. At the outset of the tenancy, the Landlord collected a security deposit from the Tenants of \$425.00 and a pet deposit of \$200.00. The elevator in the building has not been operational since March 2016 and it will not be repaired.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The Landlord will repair the thermostat no later than July 29, 2016;**
- 2. The Tenants are entitled to a rent reduction from March to July 2016, inclusive, in the total amount of \$250.00;**
- 3. The Tenants are entitled to an ongoing rent reduction of \$50.00 per month from and including August 2016 forward;**

- 4. The Landlord will reimburse the Tenants for the cost of the \$100.00 filing fee; and**
- 5. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63 of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order. Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above. Should the Landlord fail to repair the thermostat as agreed the Tenants have have to reapply for losses that may result from the Landlord's failure.

To give effect to the agreement I order the Tenants to reduce August 2016 rent by \$250.00 plus \$50.00 plus \$100.00 in full satisfaction of the retroactive rent reduction, the August 2016 rent reduction and the filing fee. August 2016 rent payable will therefore be \$450.00. I order the Tenants to reduce the rent from and including September 2016 by \$50.00 per month making \$800.00 as the monthly rent payable.

Conclusion

The dispute has been settled.

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: July 27, 2016

Residential Tenancy Branch

