



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: MNR, OLC, RP, LRE, RR, FF

Introduction

This hearing dealt with an application by the tenant pursuant to the *Residential Tenancy Act* for a monetary order for compensation for loss under the *Act* and to recover the filing fee. The tenant also applied for various other remedies related to the tenancy which were withdrawn by the tenant during the hearing.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions. The parties acknowledged receipt of evidence submitted by the other and gave affirmed testimony.

Issues to be decided

Has the tenant established a claim for compensation? Is the tenant entitled to the recovery the filing fee?

Background and Evidence

The tenancy started on in 2009. The current rent is \$880.00 and due in advance on the first day of each month.

The claim made by the tenant, was discussed at length. During the hearing the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the Arbitrator may assist the parties settle their dispute and if the parties settle their dispute during the hearing, the settlement may be recorded in the form of a decision or an order.

During this hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. The tenant withdrew his entire claim as made in this application against the landlord on condition that the landlord made certain repairs to the rental unit.
2. The landlord agreed to make repairs as requested by the tenant to the following items: screen door, deck boards, closet door, light and fan covers in the kitchen and bedroom blinds. The landlord also agreed to move the stove and refrigerator to enable the tenant to clean behind and under the appliances
3. The tenant agreed to allow the landlord to amend the names of the occupants of the rental unit as stated on the tenancy agreement.
4. The parties agreed that an addendum would be added to the tenancy agreement which would state that the tenant would be the **only** person permitted to smoke marijuana on the balcony.
5. Both parties stated that they understood and agreed that the above particulars comprise **full and final settlement** of all aspects of the dispute for both parties.

Conclusion

The parties came to an agreement to settle the dispute.

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 28, 2016

Residential Tenancy Branch

