



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Triumph Management
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNR, MNDC, ERP, RP, PSF, RR, FF

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking the following relief:

- a monetary order for the cost of emergency repairs;
- a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement;
- an order that the landlord make emergency repairs for health or safety reasons;
- an order that the landlord make repairs to the unit, site or property;
- an order that the landlord provide services or facilities required by law;
- an order reducing rent for repairs, services or facilities agreed upon but not provided; and
- to recover the filing fee from the landlord for the cost of the application.

The tenant attended the hearing accompanied by an Advocate and a witness. An agent for the landlord also attended.

At the commencement of the hearing, the parties agreed to settle this dispute in the following terms:

1. the landlord will pay up to \$750.00 as moving expenses to move the tenant into another rental unit of the landlord;
2. the landlord will pay \$1,000.00 to the tenant as a rebate of rent;
3. the landlord will keep \$500.00 of the \$675.00 security deposit as a transfer to the security deposit to be held in trust for the new rental unit, and will return the \$175.00 excess to the tenant;
4. the parties will enter into a new fixed term tenancy for the new rental unit for 6 months commencing on May 15, 2017 which will revert to a month-to-month tenancy;

5. the tenant will commence the payment of rent for the new rental unit on June 1, 2017 and will pay no rent for May 15 to 31, 2017;
6. the landlord forgives \$1,100.00 of unpaid rent owed by the tenant;
7. the landlord agrees that the hearing of the landlord's cross application currently scheduled for May 16, 2017 is withdrawn, and the hearing is cancelled.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

Conclusion

For the reasons set out above, and by consent, I hereby grant a monetary order in favour of the tenant as against the landlord pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$1,175.00.

I further order the parties to comply with the settlement agreement reached between the parties as set out above.

The landlord has withdrawn the claim scheduled for May 16, 2017 and I further order that the hearing scheduled for that application is cancelled.

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: April 19, 2017

Residential Tenancy Branch