



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF RR

Introduction

This hearing dealt with the tenant's application under the *Residential Tenancy Act* (the *Act*) for a reduction in rent pursuant to section 65, and a return of the filing fee pursuant to section 72.

The tenant, counsel for the landlord. K.H. (the "landlord") and the property administrator G.S., attended the hearing. All parties were given a full opportunity to be heard, to make submissions, to call witnesses and to cross-examine one another.

The landlord confirmed receipt of the tenant's application for dispute resolution hearing package ("Application") and evidence sent by way of Canada Post Registered Mail on approximately June 10, 2017. In accordance with sections 88 and 89 of the *Act*, I find that the landlord was duly served copies of the tenant's application and evidence.

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. During the hearing the parties discussed the issues between them, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

1. The tenant agreed to accept a one-time payment of \$1,000.00 in consideration of the entire sum requested in her application for a reduction in rent.
2. The landlord agreed to pay this \$1,000.00 in the form of a rent credit which is to be applied to August 2017 rent.

3. The landlord agreed to reduce rent by \$20.00 per month starting August 1, 2017. This discount in rent will continue until construction work on the balcony is completed.
4. The tenant agreed to sign a non-disclosure agreement with the landlord. This agreement was to be emailed to the tenant following the conclusion of the hearing.
5. The tenant agreed to sign a waiver with the landlord. This waiver was to be emailed to the tenant following the conclusion of the hearing.

These particulars comprise the full and final settlement of all aspects of this dispute for both parties. Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion. Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute.

Conclusion

The landlord is ordered to provide the tenant with a rental credit of \$1,000.00 for the month of August 2017.

The landlord is ordered to reduce the tenant's rent by \$20.00 per month starting on August 1, 2017. This reduction will remain in place until construction work on the balcony is completed.

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: August 2, 2017

Residential Tenancy Branch