



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes AAT, ERP, LAT, LRE, OLC, OPT, PSF, RP, RPP, RR, MNDC, FF

Introduction

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

- an order that the landlord allow access to and from the rental unit for the tenant or the tenants' guests;
- an order that the landlord make emergency repairs for health or safety reasons;
- an order allowing the tenants to change the locks to the rental unit;
- an order limiting or setting conditions on the landlord's right to enter the rental unit;
- an order that the landlord comply with the *Act*, regulation or tenancy agreement;
- an Order of Possession of the rental unit in favour of the tenants;
- an order that the landlord provide services or facilities required by law or the tenancy agreement;
- an order that the landlord make repairs to the unit, site or property;
- an order that the landlord return the tenants' personal property;
- 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 named landlords and both tenants attended the hearing and the tenants were accompanied by a Legal Advocate.

At the commencement of the hearing, the landlord advised that she is the agent for the landlord, and the other landlord partially named in the Tenant's Application for Dispute Resolution is the building manager. Since that person is partially named, I dismiss the tenants' application with respect to that landlord.

During the course of the hearing the parties agreed to settle this dispute in the following terms:

1. the tenancy agreement continues;
2. the landlord will notify the tenants by telephone of the date the tenants can have occupancy once repairs are completed;
3. rent for September, 2017 will be pro-rated in consideration of the date the tenants can have occupancy;
4. the landlord will reimburse the tenants the sum of \$738.59.

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 respecting this application.

Conclusion

For the reasons set out above, the tenants' application with respect to a partially named landlord is hereby dismissed.

I hereby order that the tenancy continues as per the terms of the tenancy agreement, and I order the parties to comply with the settlement agreement above.

I hereby grant a monetary order in favour of the tenants as against the landlord, pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$738.59.

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: September 07, 2017

Residential Tenancy Branch