



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      MNDC OLC ERP RP PSF

### Introduction

This hearing was convened as a result of the tenants' Application for Dispute Resolution ("application") under the *Residential Tenancy Act* ("Act"). The tenants applied for a monetary order of \$2,970.17 for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement, for an order for emergency repairs for health or safety reasons, for an order for regular repairs to the unit, site or property and for an order to provide services or facilities required by law or the tenancy agreement.

The tenants and the landlords attended the teleconference hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me. The hearing process was explained to the parties and an opportunity to ask questions about the hearing process was provided to the parties.

Neither party raised any concerns regarding the service of documentary evidence.

### Preliminary and Procedural Matters

The parties provided their email addresses at the outset of the hearing which were confirmed by the undersigned arbitrator. The parties confirmed their understanding that the decision would be emailed to both parties and that any applicable orders would be emailed to the appropriate party.

Rule 2.3 of the Residential Tenancy Rules of Procedure ("rules") authorizes me to dismiss unrelated disputes contained in a single application. In this circumstance the tenants indicated several matters of dispute on the application, the most urgent of which is the application for emergency repairs. I find that not all the claims in this application are sufficiently related to be determined during this proceeding. I will, therefore, only

consider the tenants' request for emergency repairs at this proceeding. The balance of the tenants' application is **dismissed, with leave to re-apply**.

### Settlement Agreement

During the hearing, the parties agreed to settle the issue of emergency repairs, on the following conditions:

1. The parties agree that as of the date of the hearing on March 9, 2018 the shower in the rental unit is working.
2. The parties agree that the tenants will allow the landlords and/or the landlords' contractor reasonable access at mutually agreeable times, sometimes on short notice, to determine the cause of the water ingress, if any.
3. The parties also agree to follow any suggestions and to keep the area clear for work purposes to be done during the remediation.
4. The landlords agree to ensure the cost of the remediation is not to be paid by the tenants.
5. The tenants agree to follow any suggestions regarding keeping moisture in the rental unit to an acceptable level (for example the tenants investing in a dehumidifier due to the existence of fish tanks in the rental unit).
6. The parties agree that the two areas to be addressed for remediation are the master bedroom and dining room/living room and that the assessment will be completed by **March 31, 2018**.
7. The parties agree that the remediation work will be completed by **April 15, 2018**.
8. The parties agree that the tenants are not entitled to compensation during the remediation process.

This settlement agreement was reached in accordance with section 63 of the *Act*. The parties confirmed their understanding and agreement that this mutually settled agreement was made on a voluntary basis and that the parties understood the final and binding nature of their settlement agreement and that it was enforceable.

### Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: March 12, 2018

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Residential Tenancy Branch