



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding POWELL ST. HOLDINGS LTD.
and [tenant name suppressed to protect privacy]

DECISION AND RECORD OF SETTLEMENT

Dispute Codes

AAT MNDC PSF RP

Introduction

The tenant's application under the *Residential Tenancy Act* (the Act) primarily sought a repair to the unit, an access device (fob) and compensation for loss.

Both parties were represented in this proceeding. Two of the landlord's representatives and the tenant, tenant's spouse and their legal advocate attended the hearing. Both parties acknowledged exchange of evidence and the tenant informed as to the relevant matters in this dispute.

Background and Evidence

Section 63 of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussions between the parties led to resolution of all relevant matters. As a result the parties confirmed to me that they both agreed as follows;

1. the landlord will, either, make an existing permanent radiant heat unit operate as intended or replace it with a functioning permanent heat radiator unit of the landlord's choice, forthwith.
2. the landlord will accept from the tenant's partner an *application for tenancy* package with a view to qualifying the tenant's partner for shared tenancy with the tenant. The landlord will make a determination respecting the partner's application inside of 10 days from receiving the application. If approved, the agreed refundable fee for a an access device (fob) will be \$50.00.

3. If the presented dispute between the parties fails to be resolved following the landlord's determination respecting condition 2, the tenant has leave to reapply respecting the issues of access and monetary compensation.

Both parties testified in the hearing confirming to me they understood and agreed to the above terms, and that the settlement particulars comprise the full settlement of the relevant aspects of this dispute.

Conclusion

The parties settled their dispute in the above terms.

This Decision and Settlement are final and binding on the parties.

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: June 06, 2018

Residential Tenancy Branch