



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding SUTTON HYMARK REALTY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNRT RP RR

Introduction

This hearing was convened concerning an application made by the tenant seeking a monetary order for the cost of emergency repairs; an order that the landlord make repairs to the rental unit or property; and for an order reducing rent for repairs, services or facilities agreed upon but not provided.

The tenant attended the hearing, as a face-to-face participant, and an agent for the landlord joined the hearing by way of conference call.

During the course of the hearing the parties agreed to settle this dispute as follows:

1. The parties agree that the tenancy has been devalued due to repairs required to the rental unit, and rent is reduced to \$1,203.00 per month retroactive to August, 2018 and to continue at \$1,203.00 per month until the repairs mentioned below are completed;
2. The tenant will have a monetary order in the amount of \$3,006.00 as the retroactive amount payable;
3. The tenant will have a monetary order in the amount of \$112.74 for unsubstantiated (i.e. no receipts) repairs made by the tenant;
4. The landlord will make repairs to the exterior of the rental home by sealing cracks around windows and doors;
5. The landlord will retain the services of an exterminator to eliminate spiders and other insects inside and outside of the rental home;
6. The landlord will make repairs to the ceilings;
7. The landlord will retain the services of an electrician to ensure the safety and operation of an outside plug;
8. The tenant will be permitted to apply the monetary compensation, for a total of \$3,118.74 to future rent payable, or may otherwise recover it;
9. The tenant will notify the landlord of further repairs required promptly.

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 order the landlord to make the repairs as set out above.

I further order that rent shall be reduced to \$1,203.00 per month until said repairs are completed.

I order the tenant to notify the landlord promptly of other repairs as required.

I further 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 \$3,118.74, and I order that the tenant may reduce rent for future months until that sum has been realized, or may otherwise recover it.

This order is final and binding and may be enforced.

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: January 10, 2019

Residential Tenancy Branch