



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding DEVON PROPERTIES  
and [tenant name suppressed to protect privacy]

## **DECISION AND RECORD OF SETTLEMENT**

**Dispute Codes**      RR FF

### **Introduction**

This hearing was convened in response to an application by the tenant for a reduction of the payable rent *for repairs, services or facilities agreed upon but not provided* and recovery of the filing fee. I accept the tenant's application and requested relief, in part, seeks to address *loss of quiet enjoyment* within the monetary remedy sought.

Both parties were represented and participated in the hearing. Both of the parties acknowledged exchanging their respective evidence with the other and each having reviewed the opposing submissions with ability to respond to them.

### **Settlement**

**Section 63** of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision some discussion between the parties during the hearing led to a resolution to the items in dispute. Specifically, both parties agreed to and each confirmed to me as follows;

1. The tenant will sign the **landlord's Settlement Agreement and Release** document, and as a result,
2. The landlord will compensate the tenant the amount of **\$6500.00**.

As the parties mutually resolved this dispute I decline to award any filing fee(s).

So as to perfect the parties' agreement,

**I grant** the tenant an Order under Section 67 of the Act for the agreed amount. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

The above particulars comprise the **full and final settlement** of all aspects of the tenant's application. Both parties testified that they understood and agreed to the above terms and that they settle all aspects of this dispute and are **final and binding on both parties**.

### **Conclusion**

The parties settled all aspects of the dispute in the above terms.

**This Decision and Settlement are final and binding.**

*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: February 25, 2019

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Residential Tenancy Branch