



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes LAT, OLC, RR, FT

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to have the landlord comply with the Act, to be allowed authorization to change the locks, for a rent reduction for loss of use of premise, for a monetary order for compensation under the Act and to recover the filing fee.

Both parties appeared, gave testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions at the hearing

Rule 2.3 of the Residential Tenancy Branch Rules of Procedure authorizes me to dismiss unrelated disputes contained in a single application. In these circumstances the tenants have indicated several matters of dispute on the Application for Dispute Resolution, I find that not all the claims on this Application for Dispute Resolution are sufficiently related to be determined during these proceedings. I will, therefore, only consider the tenant's request for a rent reduction for loss of use of property. The balance of the tenant's application is dismissed, with leave to reapply.

Settlement Agreement

During the hearing, the parties agreed to settle these matters, on the following conditions:

- The parties agreed that the locks to the rental unit have been changed;
- The parties agreed that the owner will pay the tenants the sum of \$1,100.00 which was previously offered; The landlord MP agreed to pay the tenants the amount of \$825.00 for a total owing to the tenants of

\$1,925.00, This is comprised of loss of use of premises from when the tenancy commenced until May 13, 2019;

- The tenants will be entitled to deduct the amount of \$1,925.00 from June 2019, rent in full satisfaction of this agreement; and
- The landlord agreed that the balance of work to be completed would be completed no later than May 27, 2019.

The tenants are at liberty to apply for future loss of premises for the time period after May 13, 2019, if a settlement cannot be made. The tenants are at liberty to reapply for monetary compensation for loss of quiet enjoyment as indicated in their application.

Conclusion

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

As this matter was settled, I decline to award recovery of the filing fee.

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: May 13, 2019

Residential Tenancy Branch