



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      DRI, MNDC, FF

### Introduction

The tenant applies to dispute a purported rent increase and to recover money she spent on plumbing repairs.

The respondent landlord did not attend the hearing within ten minutes after its scheduled start time at 1:30 p.m. on July 9, 2019. The teleconference hearing connection remained open during that time in order to enable the parties to call into the teleconference hearing. The call-in numbers and participant codes provided in the Notice of Hearing were confirmed as correct. The teleconference system audio console confirmed that the tenant and this arbitrator were the only ones who had called into this teleconference during that period.

The tenant referred to another application she had brought against this landlord (see related file noted on cover page of this decision). That matter was set for hearing in May. It did not proceed because, the tenant reports, she resolved that and this dispute with the landlord) for an agreed \$1000.00.

She indicates that the landlord has only paid her \$500.00 of the \$1000.00 and so it was her view that she would consider the second application, this one, not settled and would attend the hearing and proceed with it.

It was my view and I directed the tenant that it appears she settled both matters and if the landlord is not holding to the settlement, she must proceed against him on the settlement. Thus, while the dispute in this application has been settled and cannot proceed, the tenant may make a claim against the landlord for the \$500.00 remaining to be paid under the settlement agreement.

In result, this application must be dismissed as settled. I make no determination about the filing fee for this application but leave it to the discretion of any future adjudicator dealing with payment under the settlement.

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: July 09, 2019

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Residential Tenancy Branch