



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BAYCREST APARTMENTS LIMITED
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes **ERP FFT PSF RP**

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "*Act*") for:

An order for emergency repairs pursuant to section 62;
Authorization to recover the filing fees from the landlord pursuant to section 72;
An order to provide services or facilities required by a tenancy agreement or law pursuant to section 62; and
An order for regular repairs pursuant to sections 32 and 62.

Both parties attended the hearing and were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. As both parties were present, service of documents was confirmed. As the landlord confirmed receipt of the tenant's application for dispute resolution, I find the landlord was duly served with the documents in accordance with section 89 of the *Act*.

Settlement Reached

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

1. By June 30, 2019 the recycling and household waste receptacles are to be moved outside the building.
2. The landlord agrees to reimburse the tenant's \$100.00 filing fee.
3. This settlement comprises the full and final settlement of the tenant's application.

Both parties testified that they understood and agreed to the above terms, free of any duress or coercion. Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute.

Conclusion

In order to implement the above settlement reached between the parties and as discussed with them at the hearing, I issue a monetary Order in the tenant's favour in the amount of \$100.00. Should the landlord fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order of that Court.

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, 2019

Residential Tenancy Branch