



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CASCADIA APARTMENT RENTALS LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes PSF RP FF

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on November 19, 2019 (the "Application"). The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order requiring the Landlord to provide services or facilities required by the tenancy agreement or law;
- an order requiring the Landlord to make repairs to the unit, site, or property;
- an order granting recovery of the filing fee.

The Tenant attended the hearing and was assisted by K.P., legal counsel. The Landlord was represented at the hearing by O.B., an agent. The Tenant and O.B. provided affirmed testimony.

Settlement Agreement

During the hearing, the parties were presented with the option of resolving the dispute by mutual agreement. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement, which would be documented in my Decision and attached orders.

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The Landlord agrees to have plumbers attend the rental property to inspect the boiler system and the Tenant's rental unit by January 21, 2019.
2. The parties agree the Tenant will be given notice of the Landlord's intention to access the Tenant's rental unit for the purpose of the inspection in accordance with section 29 of the *Act*.
3. Depending on the outcome of the inspection by the Landlord's plumbers, the Landlord will retain the company which installed the new boiler in or about May 2019 to return and address any issues that are identified with respect to the operation of the boiler.

This agreement was reached in accordance with section 63 of the *Act*. Although this agreement was reached through negotiation, I find the longstanding issue required the Application and a hearing to address the Tenant's concerns. Accordingly, I grant the Tenant a monetary award of \$100.00 in recover of the filing fee, which I order may be deducted from a future rent payment at the Tenant's discretion.

The Tenant remains at liberty to make further applications related to the operation of the boiler system or other losses incurred at her discretion.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

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 17, 2020

Residential Tenancy Branch