



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

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

## **DECISION**

Dispute Codes

**DRI FFT**

### Introduction

This hearing dealt with an application by the tenant under the *Residential Tenancy Act* (the *Act*) for the following:

- An order to dispute a rental increase pursuant to section 41;
- An order requiring the landlord to reimburse the tenant for the filing fee pursuant to section 72.

SK attended as agent for the landlord (“the landlord”). The tenant attended with the advocate NR (“the tenant”). Both parties had full opportunity to provide affirmed testimony, present evidence, cross examine the other party, and make submissions. The hearing process was explained. The parties had an opportunity to ask questions about the hearing process.

Neither party raised issues of service. I find each party served the other in accordance with the *Act*.

The hearing lasted 73 minutes. Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute.

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision or an Order.

Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a Decision:

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**The parties agreed as follows:**

1. Effective March 1, 2020 the monthly rent for the unit including parking of one stall (together referred to as “the unit”) shall be \$1,136.00 payable on the first of each month;
2. For greater certainty, beginning March 1, 2020, the cost of the parking stall is included in the definition of “rent”;
3. The rent is subject to the annual allowable rent increase according to BC legislation.

Both parties testified that they understood and agreed that the above terms are final, binding, and enforceable, and settle all aspects of this application.

The parties are still bound by all the rights, responsibilities, terms, conditions and any statutory compensation provisions of the tenancy agreement, the *Act*, and the associated regulations.

Based on the above, I find that all matters between these parties raised in this application are resolved pursuant to the above agreed terms.

### Conclusion

Effective March 1, 2020 the monthly rent for the unit including parking of one stall (together referred to as “the unit”) shall be \$1,136.00 payable on the first of each month subject to allowable annual rent increases.

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 06, 2020

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Residential Tenancy Branch