



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP FF

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on February 20, 2020 (the "Application"). The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order requiring the Landlords to make emergency repairs for health or safety reasons; and
- an order granting recovery of the filing fee.

The Tenant and L.C.S. attended the hearing at the appointed date and time and provided affirmed testimony.

Settlement

The opportunity for settlement was discussed with the parties during the hearing. 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.

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

1. On behalf of the Landlords, L.C.S. agrees a technician will attend the rental property on March 17, 2020 to inspect the existing heating/cooling system and make recommendations.
2. On behalf of the Landlords, L.C.S. agrees to follow the technician's recommendations for the repair of the existing heating/cooling system.

3. If the technician determines that the existing heating/cooling system cannot be repaired, the Landlords agreed to install a ceramic electric wall-mounted heater appropriate to the Tenant's rental unit as described in the documentary evidence submitted by the Landlord.
4. The parties agree that all repair or installation activities be completed by April 31, 2020 although the parties are encouraged to take steps to expedite the repair or installation as appropriate.
5. The Tenant agrees to withdraw the Application as part of this settlement agreement.

This settlement agreement was reached in accordance with section 63 of the *Act*. Considering the time that has passed since the issue was first brought to the attention of the Landlords without resolution, I find it appropriate to order that the Tenant is entitled to recover the filing fee paid to make the Application. I order that \$100.00 may be retained from a future rent payment at the Tenant's discretion.

Conclusion

I order the parties to comply with the terms of the settlement agreement described above. The Tenant is granted leave to reapply for further relief related to the heating/cooling system as appropriate.

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: March 16, 2020

Residential Tenancy Branch