



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP

Introduction

On December 11, 2020, the Tenant filed an Application for Dispute Resolution under the *Residential Tenancy Act* (“the Act”) for an order for the Landlord to make emergency repairs to the rental unit. The matter was set for a conference call.

The Landlord’s Agent (the “Landlord”) and the Tenant attended the hearing, and all parties were affirmed to be truthful in their testimony. The Landlord and Tenant were provided with the opportunity to present their evidence orally and in written and documentary form and to make submissions at the hearing.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Issue to be Decided

- Is the Tenant entitled to an order for Emergency repairs to the rental unit?

Settlement Agreement

Both parties agreed that the local fire department had issued two Responsibility Notices regarding the rental property, ordering that the electrical system and heating systems for this rental unit be inspected.

Both parties agreed that an inspection of the heating system has already been completed and that the heating system will be replaced on January 6, 2020.

Both parties agreed that an inspection of the electrical system had not been completed as of the date of this hearing.

During the hearing, both parties expressed a desire to enter into a mutual agreement to resolve this dispute.

Section 63 of the *Act* allows for the parties to consider a settlement to their dispute during the hearing and that any settlement agreement reached during the hearing may be recorded in the form of a decision and an order. In accordance with this, an opportunity for a settlement discussion was presented, and the parties came to an agreement on a settlement that would resolve their dispute.

During the hearing, the parties agreed to the following settlement:

1. The Landlord and Tenant agreed that the heating system would be repaired/replaced on January 6, 2020, at 10:00 a.m.
2. The Landlord agreed to have the electrical system inspected and to complete all repairs required due to that inspection.

The above terms of the settlement agreement were reviewed with all parties at the end of the hearing, and all parties confirmed that they were entering into the settlement agreement on a voluntary basis. They also confirmed understanding of the terms of the settlement agreement as the full and final settlement of this matter.

Analysis

In order to enforce the conditions of the settlement agreement reached between the Landlord and Tenant, I **Order** that an inspection of the electrical system be completed no later than **January 12, 2021**.

Additionally, I **Order** that all repairs to the heating and electrical system to the rental unit be completed no later than **January 31, 2021**.

Conclusion

The parties are ordered to comply with the terms of the settlement agreement, as outlined in this decision.

The Landlord is ordered to complete an inspection of the electrical systems no later than **January 12, 2021**.

The Landlord is ordered to complete all required repairs to the heating and electrical systems no later than **January 31, 2021**.

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 4, 2021

Residential Tenancy Branch