



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC DRI FFT

Introduction

This hearing was convened as a result of the tenant's Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (Act). The tenant applied for an order directing the landlord to comply with the Act, regulation or tenancy agreement by ensuring there is heat and working electrical plugs in the rental unit, to dispute a rent increase and to recover the cost of the filing fee.

The tenant, the landlord and an agent for landlord, PP (agent) attended the teleconference hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing and make submissions to me. A witness for the landlord, DP (witness) was also called and affirmed and was asked questions by both parties.

Preliminary and Procedural Matters

The parties were informed at the start of the hearing that recording of the dispute resolution is prohibited under the Residential Tenancy Branch (RTB) Rules of Procedure (Rules) Rule 6.11. The parties were also informed that if any recording devices were being used, they were directed to immediately cease the recording of the hearing. In addition, the parties were informed that if any recording was surreptitiously made and used for any purpose, they will be referred to the RTB Compliance Enforcement Unit for the purpose of an investigation under the Act. Neither party had any questions about my direction pursuant to RTB Rule 6.11.

Rule 2.3 of the RTB Rules of Procedure (Rules) authorizes me to dismiss unrelated disputes contained in a single application. In this circumstance the tenant indicated two matters of dispute on their application, the most urgent of which is the application related to heat in the rental unit and functioning electrical outlets. I find that not all the

claims on the application are sufficiently related to be determined during this proceeding. I will, therefore, only consider the tenant's request related to heat and electrical outlets and the filing fee. The balance of the tenant's application related to the disputed rent increase is dismissed, with leave to re-apply.

In addition, the parties confirmed their respective email addresses at the outset of the hearing and stated that they understood that the decision would be emailed to them.

Settlement Agreement

During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The parties agree that the landlord will arrange for, at their own expense, an electrician to attend the rental unit for the purposes of inspecting to ensure the electrical outlets and furnace controls are functioning.
2. The parties agree to have #1 completed no later than **Friday, May 21, 2021 by 5:00 p.m. Pacific Standard Time.**
3. The tenant agrees to allow access to the rental unit for the electrician so that #1 can be completed.

This settlement agreement was reached in accordance with section 63 of the Act. The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the binding nature of this full and final settlement of these matters.

As this matter was resolved by way of a mutually settled agreement, I decline to award the filing fee.

Conclusion

I ORDER the parties to comply with the terms of their mutually settled settlement agreement.

The filing fee is not granted as noted above.

This decision will be emailed to both parties.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: May 13, 2021

Residential Tenancy Branch