



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, RP, RR, FFT

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for landlord's use of property; an order that the landlord make repairs to the rental unit or property; an order reducing rent for repairs, services or facilities agreed upon but not provided; and to recover the filing fee from the landlord for the cost of the application.

The tenant and the landlord attended the hearing, and the landlord was represented by the landlord's spouse, who acted as agent for the landlord.

At the commencement of the hearing, the parties agreed that the tenant has vacated the rental unit and therefore, I dismiss the tenant's application for an order cancelling a notice to end the tenancy for landlord's use of property. Since the tenancy has ended I dismiss the tenant's application for an order that the landlord make repairs to the rental unit or property.

During the course of the hearing the parties agreed to settle the remaining application in the following terms:

1. the landlord will return the \$1,800.00 security deposit to the tenant;
2. the landlord will provide further monetary compensation to the tenant in the amount of \$500.00.

The parties agreed that this settlement agreement is in full satisfaction of any and all claims between the parties with respect to the tenancy during the tenancy. The parties also agree that this settlement agreement was made voluntarily and that the parties understood the nature of it.

Since the parties have settled this dispute, I decline to order that the tenant recover the filing fee from the landlord.

Conclusion

For the reasons set out above, the tenant's application for an order cancelling a notice to end the tenancy for landlord's use of property is hereby dismissed.

The tenant's application for an order that the landlord make repairs to the rental unit or property is hereby dismissed.

By consent, I hereby grant a monetary order in favour of the tenant as against the landlord pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$2,300.00.

This order is final and binding and may be enforced.

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 20, 2022

Residential Tenancy Branch