



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ERP

Introduction

This hearing was convened in response to an application by the Tenant for an order for emergency repairs pursuant to section 33 of the *Residential Tenancy Act* (the “Act”).

The Parties were each given full opportunity under oath to be heard, to present evidence and to make submissions. The Parties confirmed receipt of each other’s evidence and that no recording devices are being used for the hearing. During the hearing the Parties reached a settlement agreement. The Parties confirmed at the end of the hearing that they conducted a final review for accuracy of the terms of the mutual agreement reached by Parties during the hearing. The Parties also confirmed that this agreement was made on a voluntary basis and that they understood the nature of the full and final settlement of these matters.

Agreed Facts

The tenancy under written agreement stated on April 1, 2020. Rent of \$812.00 is payable on the first day of each month. At the outset of the tenancy the Landlord collected \$400.00 as a security deposit. On January 4, 2022 the boiler for the unit failed and the Tenant lost heat. On January 5, 2022 the boiler was repaired however the heat has not reached above 19 degrees Celsius since.

Settlement Agreement

The Parties mutually agree as follows:

- 1. On or before Saturday March 19, 2022 and between the hours of 8:00 a.m. and 4:00 p.m. the Landlord will have an agent attend the unit to inspect the heating system;**
- 2. The Landlord's Agent will make any required repairs immediately or as soon as possible and no later than 4:00 p.m. on Wednesday March 23, 2022;**
- 3. The Landlord will provide the Tenant with at least an hour verbal notice prior to the entry for the inspection and repairs and the Tenant will ensure that all heaters will be easily accessible for the inspection and repairs;**
- 4. The Landlord will ensure that clean up from the repairs will be done; and**
- 5. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63(2) of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order. Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above. I order the Parties to act as agreed in the mutual agreement.

Conclusion

The Parties have settled the dispute.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: March 15, 2022

Residential Tenancy Branch