



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- an order to the landlord to make emergency repairs to the rental unit pursuant to section 33;
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

All named parties attended the hearing. No issues were raised with respect to the service of the application and evidence submissions on file.

Pursuant to section 63 of the Act, an arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The landlord acknowledges there is an ongoing problem with leaking plumbing lines in the basement which are affecting the heat output to the tenant's unit which the landlord has been attempting to address over the last couple of months. The repairs are complicated due to the building being over 100 years old and the plumbing pipes running underground in the basement making the leak difficult to detect during wet weather conditions. The landlord agrees to continue to have licensed plumbing contractors address the issue and do so in an urgent manner.
2. The tenant raised some concerns with the contractors being utilized by the landlord. The landlord is open to hearing recommendations for a licensed plumbing contractor from the tenant.

3. The landlord has supplied the tenant with space heaters while the repairs are being completed.
4. The landlord is open to re-imbursing the tenant for increased hydro usage caused by the space heaters if the tenant is able to provide billing evidence of such.
5. The landlord agrees to pay to the tenant \$50.00 as a settlement of half the filing fee cost for this application. The tenant is permitted to deduct this amount from a future rent payment.

Each party confirmed that they understood the above terms. The parties agreed that the above terms comprise the full and final settlement of all aspects of this dispute.

This Decision and Settlement Agreement is final and binding on both parties.

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: December 30, 2022

Residential Tenancy Branch